

The Director of Central Intelligence

Washington, D. C. 20505

24 March 1986

Dear Clare,

In this file you will find what Senator Leahy said on worldwide broadcast the morning after the capture of the hijackers of the Italian ship. He used his position to get himself briefed at 5:30 in the morning and then blew our sources to the whole world. To spare him embarrassment, I called him in for breakfast and made him read a letter I had written him, which is enclosed and unsigned.

Then on three occasions he was quoted in the press as stating my concern about loose talk in Congress jeopardizing sources and methods was really a yearning for the good old days and aversion to Congressional oversight.

After consultation here, we all felt that our commitment to oversight and the genuine nature of our concern for sources and methods needed to be put on record for Leahy and all the other members of the Committee.

I called him up and told him the letter was coming. He told me how much he had done for intelligence and pleaded with me not to make it public. I classified the letter I had prepared, dated 4 February 1986, and sent it to him together with a covering letter, dated 5 February 1986, reflecting our telephone conversation of the previous evening.

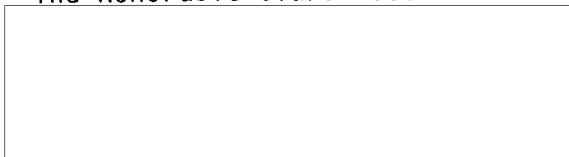
He responded with a rambling letter dated 5 February which had so many distortions and misstatements that I felt it necessary to correct the record with my letter of 24 February 1986.

Yours,



William J. Casey


The Honorable Clare Boothe Luce



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ARTICLE APPEARED  
ON PAGE 1 NEW YORK TIMES  
11 October 1985

# OFFICIALS SAY C.I.A. DID NOT TELL F.B.I. OF SPY CASE MOVES

The following article is based on reporting by Stephen Engelberg and Joel Brinkley and was written by Mr. Brinkley.

Special to The New York Times

WASHINGTON, Oct. 10 — The Central Intelligence Agency failed to notify the Federal Bureau of Investigation after it learned more than a year ago that Edward L. Howard was considering becoming a Soviet spy, Government officials said today.

According to court records, Mr. Howard told two agency employees in September 1984 that he was thinking of disclosing classified information to the Soviet Union.

## Soviet Defector Was the Key

The bureau has sole responsibility for domestic espionage investigations and, under Federal law, the intelligence agency and all other Government agencies are supposed to report suspected espionage to the F.B.I. It is illegal for the C.I.A. or any other Federal agency to carry out surveillance or other actions within the United States to stop potential spies.

Mr. Howard, 33 years old, a former intelligence agency officer who is now a fugitive, has been charged with espionage, accused of giving Soviet officials details of American intelligence operations in Moscow. Federal officials have called the disclosures serious and damaging.

## 'Bad Mistake,' Senator Says

Federal officials said the C.I.A. told the F.B.I. nothing about Mr. Howard until after the bureau began an investigation this fall based on information from a Soviet defector, Vitaly Yurchenko, who had been a senior official of the K.G.B., the Soviet intelligence agency.

The bureau began surveillance of Mr. Howard last month, but he slipped out of his home at night and is believed to have fled the country.

Senator Patrick J. Leahy, the Vermont Democrat who is vice chairman of the Select Committee on Intelligence, said today: "If the C.I.A. did not give the F.B.I. adequate information about this person, that's a bad mistake."

In the last few weeks the C.I.A. transferred the chief of its office of security, William Kotopish, to a new job at a level of equivalent seniority, but an official said the move had been planned "for some time" and was not related to the Howard case.

Mr. Howard worked for the agency from 1981 to 1983. He was told of classified American intelligence operations in Moscow because the agency was planning to assign him there, officials have said.

According to a criminal complaint on file in Federal District Court in Albuquerque, N.M., Mr. Howard told two current employees of the intelligence agency a year ago last month that he had "spent hours in the vicinity of the Soviet Embassy trying to decide whether to enter the embassy and disclose classified information."

An F.B.I. affidavit says the conversation was held Sept. 24, 1984. Four days before that, the Government contends, Mr. Howard gave his information to Soviet officials in St. Anton, Austria.

George Lauder, a C.I.A. spokesman, said today that as a result of that conversation "action was taken" within the agency "and it seemed to be reasonable action at the time." He would not say what the action was, although an official said the agency kept in contact with Mr. Howard after his conversation with the two C.I.A. operatives. Mr. Howard lived in New Mexico at the time.

## 'A Few Blatant Cases'

The Senate and House intelligence committees are investigating the handling of the Howard case. A key issue in the study, committee members said, will be how the C.I.A. and other agencies deal with employees who leave Government service with detailed, classified knowledge about sensitive programs.

Another element of the investigations will be several recent espionage cases in which Government officials failed to heed warning signs that a current or former employee was planning to spy or was spying, committee members said.

"We've had a few blatant cases where we just didn't follow through, even with alarm bells going off," said Representative Dave McCurdy, Democrat of Oklahoma, chairman of the House committee's Subcommittee on Oversight and Evaluation.

In the Howard case, a senior F.B.I. official said Mr. Howard's conversation with the two C.I.A. officers would have been sufficient to warrant an investigation.

"Anytime we get information that someone has considered such an act, we would take some action," said Phillip A. Parker, deputy assistant director

An intelligence official said the C.I.A.'s decision to handle the matter internally rather than report it to the F.B.I. was "a judgment call," adding, "If you reported every fantasy that people have, you'd have everyone under surveillance."

## Law Bars C.I.A. Moves in U.S.

The C.I.A. would not say whether it undertook any form of inquiry after Mr. Howard told the two C.I.A. employees he had considered becoming a Soviet spy. But Federal law and a Presidential executive order prohibit the agency from taking any steps inside the United States to investigate possible cases of espionage.

Mr. Howard was one of tens of thousands of people who retire from Government or industry each year after holding positions that gave them access to classified materials. More than 4.3 million people in government and industry associated with government now have clearances to use classified information.

Asked what procedures the Central Intelligence Agency uses to monitor former employees who have knowledge of classified programs, Mr. Lauder, the agency spokesman, said: "We haven't got any procedures. Once a person leaves here, he is John Q. Citizen, just like you and me. We don't keep a string on them. It's strictly an F.B.I. matter."

Dave Durenberger, the Minnesota Republican who is chairman of the Senate Intelligence Committee, said his panel would also examine the problem presented by military officers who retire with knowledge of classified materials.

Most people with security clearances work for the Pentagon. At the Defense Department, L. Britt Snider, director of counterintelligence and security policy, said: "We don't have any jurisdiction of any kind over former employees, whether or not they had clearances. It's strictly the F.B.I."

At the F.B.I., Mr. Parker said, "We are not concerned about Americans who have had clearances. We don't look at these people unless we detect an individual involved in espionage."

## Ex-Intelligence Chief's Moves

Senator Leahy said: "I don't think anyone expects the F.B.I. to maintain surveillance on the several hundred thousand people who leave the Government each year with security clearances. But there are a certain number of people in extremely sensitive positions, a handful of them, that we ought to do more with."

Mr. Leahy said Mr. Howard "certainly would have been one of those" because he held highly sensitive information and was being dismissed following a polygraph examination that indicated drug use and petty larceny, according to Federal officials.

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When Adm. Stansfield M. Turner was Director of Central Intelligence in the Carter Administration, he dismissed, transferred or forced to retire nearly 200 C.I.A. officers who held highly sensitive positions.

In an interview this week, he said that others in the agency had warned him that "we ran the risk of some of them selling their information to the other side." He said he had disagreed when it was suggested that some should be given other jobs, and proceeded with his original plans.

But he said of Mr. Howard: "I don't think my rule should be totally rigid. If this guy had just been briefed, I'd say let's stick him in the Dominican Republic or someplace like that for a couple of years, until the information isn't valuable anymore."

Senator Leahy said: "We may need some sort of turkey farm for some of these former employees. Make them translate cables or something like that for a couple of years."

Admiral Turner said he thought C.I.A. officers ought to be required to agree when they are hired that "for three years or so after they leave, they will be subject to the same rules of intrusion as applied when they were in government. Make them come back for random polygraph examinations. That would give them one more thing to worry about before they turn."

A C.I.A. official said "it's conceivable" that that idea would work, adding that finding solutions to the problem "is certainly something we're thinking about now."

NEW YORK TIMES  
8 October 1985

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ON PAGE A12

## Spy Charge Spurs Questions About Procedures of C.I.A.

By STEPHEN ENGELBERG

Special to The New York Times

WASHINGTON, Oct. 7 — Members of the Senate and House intelligence committees say espionage allegations against a former Central Intelligence Agency officer raise serious questions about the agency's procedures for dealing with disgruntled employees.

The legislators say their committees are conducting a detailed examination of the career of Edward L. Howard, a former officer of the agency who, according to Administration officials, was identified by a defector as having sold the Soviet Union highly secret information.

Mr. Howard was forced to resign from the C.I.A. in 1983; the agency was dissatisfied with his answers in a polygraph, or lie detector, examination that was apparently unrelated to espionage charges. Officials have said they suspect it was a desire for revenge that led Mr. Howard, who is believed to have fled the country, to provide secrets to the Soviet Union.

"The C.I.A. has good security procedures but they're not perfect and they're going to have to get better," Senator Patrick J. Leahy, the Vermont Democrat who is the vice chairman of the Senate Select Committee on Intelligence, said in an interview. "They're going to have to figure out what to do with a disgruntled or potentially disgruntled employee who has a lot of knowledge because that's where a lot of breaches have occurred in the past."

### C.I.A. Briefs Committees

Representative Dave McCurdy of Oklahoma, the chairman of the Subcommittee on Oversight and Evaluation of the House Intelligence Committee, said: "I think there are a lot of questions yet to be answered. I'm not sure anyone's comfortable with what we've seen so far."

In an interview today, Mr. McCurdy would not discuss the specifics of the Howard case but said that he and some other members of the committee had been briefed by the C.I.A. Members of the Senate committee have had similar briefings by the agency.

According to members of the two committees and their aides, the panels are concerned about a broad range of issues stemming from the agency's handling of Mr. Howard, who was within the C.I.A.'s three-year probation period when he was asked to resign.

### Questions Raised With C.I.A.

Among the questions the two committees are raising with the agency are these:

¶Why was Mr. Howard, a junior official, given access to such sensitive material at an early stage in his career?

¶Why did the agency choose to dismiss him while the information he had learned in training for a posting to Moscow was still of value?

¶What steps were taken to keep track of Mr. Howard's movements after he left the C.I.A., both in this country and abroad, where the Federal Bureau of Investigation has charged that he met with Soviet intelligence agents?

¶Was there sufficient coordination between the C.I.A. and the F.B.I., the other major Federal agency responsible for counterintelligence work?

Administration officials say Mr. Howard was identified as an agent of the Soviet Union by Vitaly Yurchenko, a senior official in the K.G.B., the Soviet intelligence agency. He defected to the West in July. Mr. Yurchenko, the officials have said, is undergoing extensive questioning at an undisclosed location in the United States:

### • Trip to Austria in '84

Mr. Howard, who is now 33 years old, was employed by the Central Intelligence Agency from January 1981 to June 1983, according to an F.B.I. affidavit filed in Federal District Court in New Mexico. The document charged that he traveled to Austria in 1984 where he made contact with agent of the K.G.B. and was paid money for "classified information relating to U.S. intelligence sources and methods."

Intelligence sources say that the information involved related to American operations in Moscow. They have said Mr. Howard was trained for a post in Russia that would have involved managing agents or other means of intelligence collection.

Intelligence sources say, however, that he was not sent to Moscow and was

# RADIO TV REPORTS, INC.

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FOR PUBLIC AFFAIRS STAFF

PROGRAM CBS Morning News STATION WDVM-TV  
CBS Network

DATE October 11, 1985 7:00 A.M. CITY Washington, D.C.

SUBJECT Senator Leahy/Achille Lauro's Hijacking

MARIA SHRIVER: Well, the so-called hijacking of the hijackers was the subject of overnight briefings for certain members of Congress, including Senator Patrick Leahy, the ranking Democrat on the Intelligence Committee. Senator Leahy's joining us right now in our Washington bureau.

Can you bring us up to date? Exactly what were you told last evening about the hijacking?

SENATOR PATRICK LEAHY: Well, we were kept informed as we went along everything that was happening. I don't think many of us got much sleep last night because of the phone calls. But for once, at least, the calls were all positive.

This is a case where we had a lot of things that if they all work right, we get the result we did. They all worked right. And it's a major triumph for the United States.

SHRIVER: What were you told about what went into this decision, how it was brought about?

SENATOR LEAHY: We knew that when Mr. Mubarak went on the news yesterday morning and said that the hijackers had left Egypt, we knew that wasn't so. And it was a case where we knew they were in Egypt. Intelligence was very, very good. When they left, we knew that and were able to send the planes out to intercept the hijackers' plane -- no small feat, in and of itself -- and locating the plane, and then in requiring it to land in Italy.

It's a case where here we are the most powerful nation in the world and we've been frustrated by hijackers and by

terrorists because often we didn't know where they were or how to reach them or who to bring our military power to bear on. And this was a case where our intelligence was superb, worked very, very well, and allowed the United States to use the options available to it as a superpower.

SHRIVER: What do you think the reaction of your colleagues will be to the decision by President Reagan and the Pentagon?

SENATOR LEAHY: Well, it should be a positive one, and it shouldn't be any kind of a partisan thing. I think this is a case where I would hope there will not be dissenting voices in the Congress. I hope that we say very clearly that the American people support the President on this, because you want to send a signal to future hijackers or future terrorists that we will find them. We'll look for them, we'll identify them, and we'll go after them and we'll bring them to justice. And that's exactly what's happening in this case.

And that is the only way we are going to put any kind of a dent in terrorism. And I support the President's action very, very strongly.

SHRIVER: Okay. Thank you very much, Senator Leahy, for joining us this morning to bring us up to date on this story.

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FOR PUBLIC AFFAIRS STAFF

PROGRAM The Today Show STATION WRC-TV  
NBC Network

DATE October 11, 1985 7:00 A.M. CITY Washington, D.C.

SUBJECT Senator Leahy/Achille Lauro's Hijacking

BRYANT GUMBEL: Senator Patrick Leahy is the ranking Democrat on the Senate Select Committee on Intelligence. He has been critical in the past of America's ability to gather intelligence information in the Mideast. He's joined us this morning from our bureau in Washington.

Are you a satisfied Senator this morning?

SENATOR PATRICK LEAHY: I'm a very happy Senator this morning. I didn't mind the calls half the night or the very, very early briefing over at the CIA this morning. This is a case of success.

I've said, in fact, in interviews with you before that if we're going to use the vast power that this country has to go after terrorists, we've got to have far better intelligence and information than we've had. This is a case where the intelligence worked, worked very, very well, even to the extent of knowing when the Egyptian President said that the hijackers had left, we knew they hadn't. We knew they were in Egypt. And we were able to track them and follow them all the way through. It was a superb use of intelligence and connecting it up with our military assets.

GUMBEL: If all that's correct, aren't you a little bit bothered that the Egyptians lied to us?

SENATOR LEAHY: I'm extremely bothered that they did. I can't guess what their reasons might have been. I think that has to be a demonstration that the United States is going to be in a position to make its own judgment on what people tell us, and not have to take anything on faith.



GUMBEL: Well, what do we do, then, in reaction to what the Egyptians did? I mean certainly in this case I think you'd have to agree they did not act in a manner befitting a strong ally.

SENATOR LEAHY: No. And I think that there's going to be some real strains as a result of this. They will of course be angry at us for forcing their airplane down. I think our reactions would be, "Don't even talk to us about that. If you've got hijackers, especially those who've murdered an American, you're harboring them, you're just going to have to assume that we're going to come and go after them."

And I think that message has to go to virtually every country, that we want people who have attacked Americans to be brought to justice, wherever it might be. And if it's necessary, we'll go and get them.

GUMBEL: In this case, brought to justice may mean Italian justice. Is that fine by you?

SENATOR LEAHY: I don't have a problem with that because I think that the Italian courts work very well, and it was an Italian-flag ship. But I think eventually I want to see them extradited back here to the United States and tried also in a U.S. court. The Italians have a perfect right to try them, and should and can. But eventually I want to see them tried here in the United States.

GUMBEL: What would be served by that?

SENATOR LEAHY: I think it serves to demonstrate to the world that the United States will watch out for its interests, wherever it might be, and that eventually people will be brought to justice here.

GUMBEL: Whether or not they ever do make it to these shores, is there any move afoot to have these hijackers interrogated by American officials? Is that important to you?

SENATOR LEAHY: It's very important to us. And there are things that will be done very soon. We're going to make sure that we have people who were witnesses positively identify these people, make sure that there hasn't been any switch, that we have the right people.

GUMBEL: To the best of your knowledge -- I mean it seems fairly certain what kind of fate awaits the four hijackers. What about the other two PLO officials who were on board? What's going to happen to them?

SENATOR LEAHY: Well, we're going to have to look at

whether we have cases that can be brought against them, either as accessories or otherwise.

I think the most important thing, though, is that we've demonstrated that our intelligence is getting better and that we know who these people are and where they are, and it really is not going to do them any good to seek safe harbor in any country. We'll go after them.

GUMBEL: As we talk about how strongly the U.S. reacted, you were in on the CIA briefings on this, as you noted at the top of this interview. Were we prepared to shoot that craft down if they had ignored our signals to land?

SENATOR LEAHY: I agree with Secretary Shultz that that's something that we can not and should not go into. I think that it leaves our options open. And quite frankly, I'd just soon have, if there are going to be future terrorists or hijackers, that they now know exactly what our options are.

GUMBEL: Senator Patrick Leahy, you look like a happy man this morning.

SENATOR LEAHY: I'm very happy, and I'm very proud of the President in this case.

GUMBEL: Thank you very much, sir.

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CURRENTS

# 'The sins of the fathers'



Israeli Prime Minister Shimon Peres pays homage January 27 at memorial to World War II Holocaust victims at Bergen-Belsen concentration camp. Peres became the first Israeli head of government to visit Berlin, assuring young

Germans: "The Bible tells us not to charge children with the sins of the fathers. They should not be accused because they did not do it and they would not have wanted it to happen."

Photo by Agence France Presse

## NOTES OF THE WEEK

### Spy-spooked on the Potomac

Official Washington loves nothing so much as a spy story—and in late January there surfaced a new one to chew on, a story that U.S. government spokesmen called fiction and *U.S. News & World Report* and the *New York Times* called fact. A miniwar of denials and confirmations ensued—

**January 25:** The news media receive the February 3 issue of *U.S. News*, which reports that the U.S. helicoptered a high-level Soviet intelligence agent out of East Germany last spring, hid him at a U.S. base to prevent the upstaging of the Geneva summit and then brought the defector to America in late November. The story says the CIA wants to keep secret the defection of a fifth top Soviet-bloc spy in 1985. The defector

wants it that way, the CIA is under fire for mishandling defectors and "another Yurchenko" is feared. KGB Col. Vitaly Yurchenko fled to the U.S. last year, then redefected.

**January 26:** The Sunday *New York Times* says on its front page that sources in Congress confirm the *U.S. News* account and that the defector "may be the most valuable . . . in recent years." News agencies say unnamed CIA officials scoffed at the report.

**January 27:** The *New York Times* quotes Vice Chairman Patrick Leahy (D-Vt.) of the Senate Intelligence Committee: "I have been told by the CIA that no such defector exists. If you asked me whether I believe that, I would say, in light of [CIA Director William Casey's] public statement of reluctance to follow the procedures of oversight, then I will have no comment." At the White House, Larry Speakes says accounts of a fifth defector are "baseless." Asked whether he denies all or part of the story, he replies, "The whole story."

**January 28:** The *New York Times* says again that its "congressional sources confirm the reports" of the defection. The *Washington Post* quotes a spokesman for *U.S. News*: "We reported the story from multiple sources over several weeks. Based on the reputations and numbers of these sources, we believe our story is correct. We were warned by more than one of our sources that we could expect denials from the CIA and possibly other government agencies."

The *Washington Times* quotes Senator Chic Hecht (R-Nev.), an Intelligence Committee member: "Where there's smoke, there's fire. . . . There's been too many leaks and here's another." He says the defector accounts are correct. The senator later repeats this to *U.S. News*, which did not interview him for its original article. As to the denials, he declares: "Of course they're denying it. What did you expect them to do?" The same afternoon, the White House again denies the story. ■

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NEWSPAPER EXCERPTS ON THE ACHILLE LAURO HIJACKING

The New York Times Friday, October 11, 1985 -- Account of Larry Speakes' news conference on Thursday night October 10.

"What we did is we used every available means at our disposal to find out where the hijackers were when they were on Egyptian soil. We used every means at our disposal to be aware of when the aircraft left Egyptian soil and then we were able to locate the aircraft, pursue it, persuade it to go to the airbase at Sigonella."

The New York Times Friday, October 11, 1985 by Bernard Gwertzman

"Crucial to the mission was knowledge of the exact whereabouts of the four gunmen and when their plane left Egypt. Mr. Speakes said that 'we used every available means at our disposal to be aware of when the aircraft left Egyptian soil and then we were able to locate the aircraft, pursue it, persuade it to go to the airbase at Sigonella.' "

"But Mr. Speakes said the Administration believed that the hijackers were still in Egypt at the time Mr. Mubarek said they had left. Officials said they believed that the gunmen were at an airbase outside Cairo waiting for a flight to either Algeria or Tunisia."

"Senior Administration officials said Thursday that the Administration understood that as of that morning Washington time -- early afternoon in Cairo -- the hijackers were at an Egyptian air base awaiting a flight to an undisclosed destination. They said the Egyptians seemed committed to carrying out their end of the bargain with the hijackers to let them have safe passage out of Egypt in return for surrendering the ship."

The New York Times Friday, October 11, 1985 by Bill Keller

"Mr. Weinberger would not provide details of how the officers aboard the Saratoga knew the Egyptian plane was leaving the Cairo airport, or how they were certain they had the right plane. 'I would say that we had very good intelligence.' "

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The Washington Post Friday, October 11, 1985 by Loren Jenkins

"Egyptian President Hosni Mubarak had said Thursday that the four hijackers who had surrendered Wednesday to Egyptian authorities had left Egypt five hours later ... "

"The U.S. government, however, announced late Thursday that the four hijackers were still in Egyptian hands and were at an Egyptian Air Force base outside of Cairo waiting for a plane to take them out of the country."

"Earlier on Thursday, special correspondent Jeffrey Bartholet reported from Cairo: ... Mubarak told reporters Thursday morning that the hijackers had gone and were the responsibility of the PLO, but PLO leader Yasser Arafat said they were 'under the Egyptian authorities' control.' "

"Adding to confusion was a statement Thursday morning by Abdul Rahman Saramawi, the governor of Port Said, that the pirates 'are still in custody, and it remains to be determined whether they will be tried.' "

The New York Times Friday, October 11, 1985 by Judith Miller

"Throughout the day, Egyptian officials clung to this position despite skepticism among diplomats in Egypt and statements from Washington that it was believed that the four were still being held at an airport near Cairo."

"In Washington, a senior Reagan Administration official traveling with President Reagan said the four hijackers had been taken to an air base known as Al Maza, on the outskirts of Cairo, and had been scheduled to leave Egypt about noon Thursday. An Administration official here confirmed this account and said the Reagan administration was 'extremely angry' with Egypt about the affair."

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