

# Toward Restoring the Necessary CIA

It was a year ago this month that the first revelations of Central Intelligence Agency dabbling in Chilean politics came out. Since then, more than a quarter-century's worth of skeletons (not to mention exotic weapons) have tumbled from the agency's closet. Today the CIA is the least secret espionage service in the world, and its director, William Colby, the most visible and interrogated master spy in recent history. The agency has been in hot water before, of course. But unlike the uproar that followed the Bay of Pigs fiasco in 1961, the current controversy threatens the very existence of the CIA.

The CIA has lost, perhaps forever, the special dispensation that it was allowed by many Americans and their elected representatives for the first 27 years of its existence. Few people today accept unquestioningly the notion that clandestine foreign operatives are a necessary evil. Even fewer would unblinkingly buy the assurance voiced by former CIA Director Richard Helms: "The nation must to a degree take it on faith that we, too, are honorable men devoted to her service." Almost daily, newspaper editorials, legislators and some presidential hopefuls characterize the CIA as a wasteful anachronism at best, an international menace and national disgrace at worst. This month populist Candidate Fred Harris drew cheers from an audience of Democrats in Minneapolis when he proclaimed, "We've got to dismantle the monster!"

In light of the reports of the commissions headed by former Under Secretary of State Robert Murphy and Vice President Nelson Rockefeller, released in June, and of the recommendations that will be forthcoming (probably next February or March) from the Senate committee headed by Democrat Frank Church and also from Democratic Congressman Otis Pike's House Select Committee, there is no danger that the agency will escape long-overdue reforms. The real danger is that all this intensive scrutiny will lead to ill-conceived corrective measures that could damage the CIA. The legitimate and vital functions of the CIA have already suffered severely (TIME, Aug. 4). So has morale. "Until this becomes a truly secret agency again," said a high CIA official last week, "a lot of our people are not going to be able to do their jobs." Thus the challenge to Congress is not how to pull the agency apart but how to put it back together. Few critics have questioned the CIA's intelligence-gathering activities; they zero in on the agency's covert activities, which should be defined and controlled but which cannot be abandoned altogether.

Part of the problem has been that the assorted Washington hearings on the CIA have concentrated too narrowly on specific horror stories, which have led many Americans to regard the agency as a bureaucratic Frankenstein's monster that has run amuck both at home and abroad. This is a simplistic and unfair impression. Considering the size of the agency (an estimated 20,000 employees operating on a budget that may be as big as \$6 billion a year) and the enormous volume of activities it has been called upon to perform in its 27-year history, the provable instances of malfeasance are comparatively few. Moreover, the CIA to some extent was a victim of historical circumstance. When the Chile story broke last year, the military and foreign policy establishments had met their Viet Nam. The presidency had met its Watergate. Congress was reasserting itself. The CIA was the obvious next candidate for scrutiny.

In the welter of publicity that followed the Chile revelations, much of the evidence confirmed that the CIA had indeed from

time to time violated its charter and the constitutional rights of Americans, not to mention common sense. A number of these violations can be blamed on the zealotry, villainy or stupidity of some CIA operatives, especially among the "spooks," or covert-action specialists. Many other abuses were, at root, presidential abuses. For example, the agency's illegal surveillance of the anti-Viet Nam War movement reflected Lyndon Johnson's obsessive suspicion that Communist infiltrators were behind much of the opposition to his Administration. "I just don't understand why you can't find out about all that foreign money that is behind those war protesters," Johnson complained to Helms in 1967. The CIA was just one of a number of federal agencies that Richard Nixon tried to subvert. Although the agency gave some assistance to the plumbers who broke into the office of Daniel Ellsberg's psychiatrist, it later sidestepped White House ploys aimed at involving it in Watergate. Partly as a result, Nixon replaced Helms in 1972.

If Presidents have misused and abused the CIA, Congress has ducked its responsibility to supervise the operations and activities of the agency. So far, there has been relatively little evidence proving that the CIA acted without presidential authorization. On the other hand, there is much to indicate that it bypassed congressional oversight—largely because Congress did not want to be bothered, or was embarrassed by supervising its activities, particularly the agency's covert operations.

What then should be done? Gerald Ford has indicated his determination to supervise the CIA closely. Legally he has to: Congress last year attached an amendment to the Foreign Assistance Act requiring that the President personally "certify" all foreign covert actions. A case can be made that this law should be repealed. The President of the U.S. is now the only head of state of a major power who is not insulated from public responsibility for a clandestine operation should it be exposed.

To help protect the presidency, and perhaps to restore a sense of checks and balances in the field of intelligence, Congress should establish a joint Senate-House oversight committee that would replace the four congressional units that have so inadequately watched over the CIA in the past. Indeed a similar proposal was made by the Rockefeller commission in its report to the President. The committee membership should rotate in order to avoid the past situation, which allowed the agency to mount covert operations abroad—and counter-intelligence activities at home—with the passive, usually *ex post facto* blessing of a few old reliable friends in the legislature. Presumably, the agency might also find it more efficient and secure to report to one committee of Congress rather than four.

The new committee should be empowered to approve—or disapprove—in advance any major clandestine activity by the CIA, like the army of Laotian tribesmen supported by the agency from 1962 until 1973. The Constitution's provision that Congress alone has the right to make war should extend to small, secret wars as well as large ones. Covert armed intervention in the domestic affairs of other countries, apart from being expensive and often ineffective, has fostered worldwide suspicions that the U.S. is behind nearly every political upheaval that conforms to American interests. More congressional supervision might reduce the number of such operations and reduce those suspicions—though there is no guarantee of either result. On the other hand, the CIA probably should be allowed some leeway to



carry out, on its own recognizance, smaller-scale projects, especially those in which intelligence gathering and covert operations overlap.

The CIA must also be able to carry out nonmilitary clandestine actions, such as the funding of pro-American political forces in countries where the Soviets are backing their own candidates, as they did in Portugal earlier this year. But these too should be regularly reviewed with the oversight committee. It should also be allowed to see a breakdown of the CIA's budget, and should be informed about the agency's use of "proprietarys," like the defunct airline Air America, cover firms (private companies that allow the agency to use overseas branches as fronts), and any American individuals or organizations it intends to enlist in its projects. Closer congressional scrutiny of the CIA, combined with more thoughtful presidential supervision, would provide a check against the CIA's getting involved with organized crime, as it did in the anti-Castro ventures.

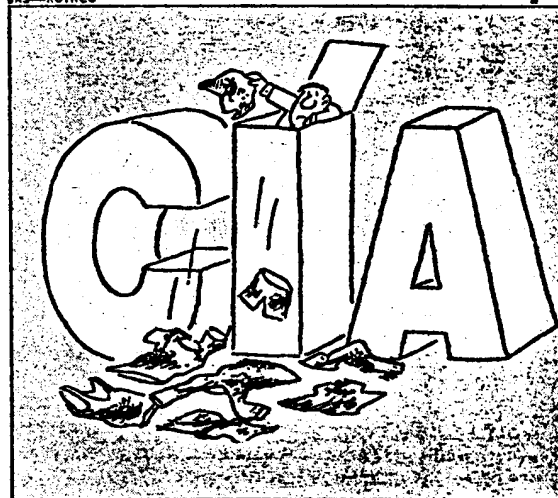
But even stronger congressional scrutiny cannot assure that the CIA will run properly. There is a basic contradiction between the secrecy and even deceit required by an organization like the CIA and the full disclosure and responsibility expected of a democratic government. It is a contradiction that the U.S. somehow must live with, since no organizational reform can completely solve this problem.

Moreover, Congress is a large and sometimes undisciplined

Schlesinger ordered an extensive housecleaning and began sweeping out the unreconstructed cold-warriors. Colby, a veteran of the covert side himself, has followed through on that program and reoriented the agency toward more relevant, "cleaner" enterprises, such as providing economic and agricultural intelligence and combatting international terrorism and narcotics smuggling.

While much of the controversy so far has concentrated on covert actions, there have also been shortcomings in the collection, evaluation and dissemination of information through the Government. Ray Cline, a former deputy director for intelligence at the CIA and chief of State Department intelligence and research at the time of the Yom Kippur War, is convinced that the failure of the agency to predict that war would break out in the Middle East was due to a lack of coordination between State, CIA and the National Security Council. "The furor over alleged cloak-and-dagger misdeeds of the past diverts attention from the fact that our central intelligence system is in deep trouble for an entirely different reason," says Cline. "It has not been as effective as it should be in its crucial central task of coordinating and evaluating information relating to the national security."

Presidential Candidates Harris and Morris Udall, former Defense Secretary Clark Clifford and other CIA critics have recommended that the CIA should be confined exclusively to in-



TWO FOREIGN CARTOONISTS POKE FUN AT THE CIA: A MEXICAN GIBE AT THE SPIED-UPON SPIES & A GREEK CRITIQUE OF THE AGENCY'S DIRTY LINEN

body of individualists. The more widely a secret is known in the Capitol, the more likely it is to be leaked. Thus both the House and Senate need to strengthen their existing regulations for preventing breaches of security—perhaps by penalties as severe as dropping from committees those members who can be proved to have illegally leaked secrets to the press or the public. One danger involved in having more congressional scrutiny of the CIA is that members of the House and Senate, as well as their staffers, will become the target of increased espionage by Washington-based foreign agents. One Communist secret service is known to be beefing up its Capitol Hill contacts already in anticipation of Congress's playing a more active role in U.S. intelligence.

Unfortunately, the facts of international life that always made the CIA more of a necessity than an evil are still real. Despite détente and the ending of the cold war, for example, the branch of Russia's KGB (committee for state security) that is in charge of foreign operations has stepped up its clandestine projects around the world, often using foreign Communist parties as conduits for money and bases of operation for agents. Western experts report that the KGB department with responsibility for Japan, India, Indonesia and the Philippines has increased its budget, apparently in response to Moscow's belief that the U.S. is still on the defensive in Asia following the collapse of South Viet Nam.

In the current furor over the CIA, genuine reforms undertaken within the intelligence community have tended to be overlooked. During his brief tenure as CIA director in 1973, James

intelligence gathering. They propose that covert actions, now in the hands of the CIA's deputy director of operations, should be assigned either to the Pentagon or to a new agency. This is not a good idea. First, intelligence gathering, especially by covert means, and clandestine foreign operations inevitably overlap and often involve the same agents. To divide them artificially would risk duplication, inefficiency and—more serious—the possibility of intelligence gatherers and clandestine operators bumping into each other and being discovered. For the Pentagon to oversee covert actions, as Harris suggests, would give the military a license to initiate paramilitary adventures. That might be a cure worse than the disease. Since clandestine operations are justifiable chiefly as a means of heading off full-scale conflict—what Colby calls "an alternative between diplomatic protest and sending in the Marines"—they should be kept separate from the Defense Department.

The best official report to date on the CIA—more thorough and fair than the Rockefeller study, in the view of impartial intelligence experts—was produced by former Under Secretary of State Murphy's Commission on the Organization of the Government for Conduct of Foreign Policy. The report concluded: "Covert action cannot be abandoned, but it should be employed only where clearly essential to vital U.S. purposes and then only after a careful process of high-level review." The CIA is still the most appropriate Government agency to carry out that difficult, often unpleasant but inevitable mission.

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