

026 C 75 2888

S E C R E T

10 November 1975  
SA/DDO/75-#89

MEMORANDUM FOR: Office of Legislative Counsel

ATTENTION : [redacted]

SUBJECT : IX; CIA Legislative Objectives

1. With regard to paragraph A of reference, entitled "Restrictions on Domestic Activities": This subject will be treated in a paper being prepared by [redacted] of OGC with assistance from [redacted] of the DDO, entitled "Impact of Various Legislative Restrictions on Foreign Intelligence Activities," [responsive to Issue, Options and Action Paper No. 8].

2. With regard to paragraph C of reference entitled "Covert Action": Per (2), while historically it has been felt that the President should not be tied directly to covert activities, I wonder if the myth of presidential "plausible denial" has current validity. Perhaps, it is preferable the American public knows that no major covert action can be undertaken without presidential responsibility. Kissinger has recently made it clear publicly that the President is aware of all major covert actions and has given them his approval. At this stage of history, with so much publicity given to the "Rogue Elephant" concept, I believe that Congress and the American public will insist on Presidential approval despite the risks this entails to the Chief Executive's prestige and credibility.

3. What should be spelled out more clearly is the kinds of covert action which should require Presidential approval and oversight committees' notification. The hundreds of minor media operations and the many contracts whom we refer to as "agents of influence" are neither risky, expensive nor exceptional enough to warrant high level approval and notification.

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4. Another subject which could cause difficulty is that of intelligence collection controls. We are now free of external controls over our collection activities, but I devine sentiment on the part of some influential SSC staffers that collection operations as well as covert action operations should be subjected to 40-Committee-type and/or ambassadorial control and review. This would be most inhibiting, and, in the case of Ambassadors, would seriously erode the Director's ability to protect sources and methods. Any new legislation should avoid, even implicitly, subjecting intelligence collection to controls beyond the Agency, except when there is exceptional risk. We must remain the Agency which determines risk.

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John H. Waller  
SA/DDO

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### ROUTING AND RECORD SHEET

SUBJECT: (Optional)

IX; CIA Legislative Objectives

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John H. Waller  
2B-1415 SA/DDO

EXTENSION

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10 November 1975

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TO: (Officer designation, room number, and building)

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