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Address by Admiral Stansfield Turner
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JFK School of Government
Cambridge, Massachusetts
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IS THE CIA ACCOUNTABLE?

I am very pleased to be back at Harvard and to share with you some of the significant new trends that I see in the intelligence process of our country today. There are few public institutions in history that have undergone such thorough public scrutiny as has the American intelligence community in the last four years, particularly, the Central Intelligence Agency.

The CIA is and should be our most secretive government agency. The fact that it has undergone this public scrutiny is really extraordinary. Perhaps it is the first time the world has had opened up to it a major intelligence organization in almost all of its aspects. It has been a traumatic experience for those of us in the intelligence community. It has damaged morale. The typical intelligence officer, for instance, feels that he is performing a difficult, patriotic task which requires great sacrifice on his part. When he finds his activities exposed in the public media and severely criticized, he cannot help but feel that the country neither understands nor appreciates that sacrifice. That is a shame because we are very dedicated to you and to the entire country.

The trauma also extends to the fact that it is more difficult to do our job under these conditions. It has damaged our capability to perform the intelligence functions authorized by law. When we cannot

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ensure adequate secrecy, foreigners who are willing to work on our behalf and support our country; foreign governments whose intelligence services complement ours are certainly much less willing to do so.

It has been a traumatic period for the American public also. Americans like to view the world in idealized terms and yet the world is not ideal. It is not open and free. The world is a highly competitive place and more societies than not are closed and totalitarian. Not all countries are willing to tell us what they are going to do in advance, even if their actions may be inimical to our interests. Let me remind you only of the great Soviet wheat steal of 1972 where we simply lacked the statistical data base to drive the proper bargain for our national interests.

Today, if we are to protect those interests and our pocketbooks, we must have good information about what is going on in the rest of the world. It is, in fact, much more important today than ever before.

Thirty years ago, when the Central Intelligence Agency was founded, we were the preeminent military power in the world; we were a totally independent economic power and many if not most of the world's free nations took their political cues from us. How different is today's world. We are one of several interdependent economic powers. We do not dominate the world's political scene. Small nations and large are activist and independent. We are much closer to military parity. In these circumstances, the leverage of good information is much greater than it was in the days of economic, political, and military superiority.

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Yet, if we are going to have better intelligence, we also must have at least as much secrecy as we have had in the past and the ability to keep national secrets. There is of course a contradiction between the importance of continued secrecy and the danger of secrecy, as shown by the exposures of the last four years. Secrecy can lead to unidentified power. Power in any form can be abused, but unidentified power has a particular potential for abuse. How then can we provide for good intelligence for our country and yet insure against abuse?

On the one hand we can underreact and simply assume that the relatively limited number of abuses of the past will not be repeated because we are more conscious of the problem today. On the other hand we can overreact and so attempt to control potential abuses that we handcuff and handicap our intelligence effort out of business. Either course would be shortsighted. We need to achieve some balance here. The best way to achieve that balance is to have a system of accountability; accountability to the Legislative Branch of our government, accountability to the Executive Branch, and in addition, accountability to the public. And, we must do this in a way that does not handcuff intelligence capability at the same time.

I would like, briefly, to look with you at how this accountability is being structured in all three of these segments of American society and to try to determine whether there is an adequate basis for the kind of accountability the country needs to be assured the intelligence function is being carried out properly.

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First, the public sector. In the past, public oversight, public accountability was impossible. Not enough information was shared with the public. Today that is no longer true. The recent revelations, the public inquiries and investigations, the Freedom of Information Act, have all made the American intelligence community much more accessible to the public than before. In addition, over the past several years we have made a very definite and deliberate effort to be more open. My presence here with you tonight, something that probably would not have taken place as recently as four or five years ago, is an earnest of that effort to keep the public as well informed as we can. Also, we respond to the press more forthrightly than ever before. Clearly, we cannot answer every question, but I assure you that the needle is not stuck in the groove that says, "no comment."

Beyond that, we are publishing more; making more intelligence analyses and estimates available to the public. Obviously we are doing that in those areas where information can be downgraded to unclassified. In that process I hope that we are also helping to protect classified information better. The big problem we have is that there is too much classified information and, because of its quantity, it does not engender the respect that is due. So if we can declassify as much as possible and move it into the public sector, I hope we can garner greater respect for that which remains.

Finally, in the public sector, the free press is a major assist to the public in its effort to hold the American intelligence community

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accountable. People like Woodward and Bernstein and others have performed yeoman service in helping the public keep track of governmental activities. There are, however, potential problems here.

When something is made known to the press and consequently to the public, it is automatically revealed to a potential enemies. And, unlike a court of law, the press can find you or me guilty through accusation alone. The power to accuse in the public press or on the airwaves of our country is a profound power and one that is susceptible to as much abuse as any other form of power. This can also give rise to another kind of problem. The press, I hope, never has the full set of facts on any given intelligence subject. That means that any member of the media writing about intelligence activities must always work from an incomplete evidentiary base. It is a very difficult position because they must always draw their conclusions from incomplete information. The danger of misinterpretation or distortion is great.

However, we do have some things in common. One of them is the absolute necessity to protect sources. I know how ardently the press holds to that principle in their case; sometimes I am dismayed when they don't recognize it in ours. Let me cite an example.

A few weeks ago in column three on the front page of a national newspaper there was a story about an impending trial with two officials of the ITT Corporation for perjury before the Congress testifying about ITT activities in Chile. The thrust of the story was how bad it was that the Central Intelligence Agency might frustrate that prosecution

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because of their unwillingness to release certain information. Over in the next column was another story about a trial underway in New Jersey in which a man accused of murder claimed that to defend himself properly he needed the notes of a New York Times reporter. That reporter refused to produce those notes. The trial was completed, the reporter went to jail for awhile, but the notes were never provided.

These cases may seem different but they are analogous in that they both stand on the principle of protecting sources of information. And yet, the media does not often recognize the similarity here. I believe it is symptomatic of the fact that throughout our country there is not really an adequate recognition of the legitimacy of some degree of secrecy.

Let me move on to survey the second means by which we are held accountable by the Executive Branch of the government. There are a number of processes ensuring accountability in the Executive Branch, but let me focus just on those revolving around the Presidency.

Today, no President can rely on the doctrine of plausible deniability as we have seen in the past. The President is required personally to sign the authorization for any covert political action. The President is kept informed of all sensitive intelligence activities. And this President has very strongly supported the concept that Congress must be given adequate information to perform its oversight responsibilities,

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which I will talk about more in a minute. This attitude is vital to the whole process of accountability.

The President also has the Intelligence Oversight Board composed of three members from outside the government, at the moment former Senator Gore, former Governor Scranton and Mr. Thomas Farmer of Washington, D. C. These three men, appointed by and reporting only to the President, have the sole charge to look into the legality and the propriety of intelligence community activities. Any of our employees, any of you, anyone who believes there is an abuse of the intelligence privilege may report it to them. This Board will look into it and report only to the President as to the validity of the allegation and what should be done about it.

Let me move to the accountability process with the Congress. Some people are skeptical here, feeling that the record of the Congress is no better than that of the President in exercising accountability over intelligence. Yet, let me point out that the Congress is a body elected separately from the President and operating totally separate from the Executive Branch of our government. Being accountable to both of these branches is, I think, a reinforcing assurance. There are two committees in the Congress, one in each chamber dedicated exclusively to the task of overseeing the intelligence process.

In the past, intelligence key members of the Congress and effective oversight was really impossible. Vice President Mondale summed up this

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situation in his book on accountability by quoting your eminent Massachusetts senator of the past, Leveret Saltonstall. At one time when he was chairman of the subcommittee to oversee the Central Intelligence Agency, the senator said:

> "It is not a question of reluctance on the part of CIA officials to speak to us, instead it is our reluctance to seek information and knowledge on subjects which I personally, as a member of Congress and as a citizen, would rather not have."

I can assure you that attitude does not prevail in the Congress today.

On top of that, the two committees I have mentioned conform very closely to requirements laid out in a recent book by your own dean, Graham Allison, in stating what he felt were the prerequisites for good Congressional oversight of the intelligence community. Let me tick off a few of the standards that Graham set forth:

- That the committee should stand permanently. It does.
- That they should be specifically concerned with intelligence. They are.
- That they should receive all relevant information. They do.
- That they should be subject to rotating membership. While this is not yet an established rule, the Chairman of the Senate Select Committee on Intelligence, last January, stood down from his position to establish this principle and concept and I think it will take hold.

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- That they should review and approve the intelligence budget. They do. They are now responsible for the authorization process in the Congress for intelligence.
- And finally, they should propose statutory charters to prescribe our authorities and limitations. This is underway at the moment and hopefully legislation will be enacted by the forthcoming Congress.

Let me just go back to what I said in the beginning about the need for balance. Balance between accountability and an ability to conduct effective intelligence. Have we achieved that balance today? I don't know. I think it is too early to tell. I think it will be several years before we know where we are on that tightrope and, in particular, we must wait until the charters are enacted. But, if we do find the right balance, we will have achieved a revolution in intelligence, for never before in history will any major intelligence activity have been subject to a greater degree of accountability. I believe we are on the right track and that this can work. I would remind you that it will require some understanding and some forbearance. Forbearance, for instance, for having such detailed laws and regulation that we will find ourselves in a straightjacket unable to conduct intelligence activities adequately. And here let me just pause to give you an example of how this can go astray.

When I came to the Central Intelligence Agency there was a regulation prohibiting the establishment of any paid, contractual relationship

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with any accredited member of the United States news media. I was only there a few weeks when I received a letter from the American Translators Association. They objected to the firing of a large number of stringers to the news media who were also part-time translators for the open and unclassified Foreign Broadcast Information Service. That really didn't make any sense, so we rewrote the regulation putting in a loophole clause which it said we would not establish any paid contractual relationship with any accredited member of the American news media unless the Director of Central Intelligence personally makes an exception. That may seem to be no regulation whatsoever; that I can make an infinite number of exceptions. I don't think that is the case. I remind you that I am accountable to the oversight process I have just described; I am subject to interrogation by the Intelligence Oversight Board, the President, and by two committees of Congress as to what use I make of this loophole. Unjustified use of it would not be tolerated.

In sum, it is not a perfect world. It is not an open world. It is a world in which we must balance idealism and realism in international affairs. We must be sure that the check of accountability encourages our idealism. We must ensure that the check of accountability is made sufficiently flexible so that idealism can be tempered with realism. We are not there yet, but we are moving strongly in the right direction. It is an exciting period, an important period in American intelligence. A period when we are, in effect, evolving a new, uniquely American model of intelligence, one tailored to the values and standards of our society, and yet, one which is also designed to ensure that we remain what we are today, the number one intelligence service in the world.

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