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NICARAGUA/CIA>MACNEIL: We continue now with the MacNeil-Lehrer <
>MANUAL>NewsHour and a focus segment. Tomorrow, the House Intelligence Committee begins classified hearings on the recent flap over the CIA manual for anti-Sandinista rebels, or contras, in Nicaragua. As you recall, the manual outraged some members of Congress, but left others unperturbed. We'll be discussing that in a moment. But first, some background. The furor began in October, when the CIA document was leaked to the Associated Press. The manual, entitled 'Psychological Operations in Guerrilla War,' proclaimed the need for the selective use of violence against certain Nicaraguan officials, such as policemen, judges or security officials. Such officials could, the manual said, be neutralized. The manual instructed the contras that, for psychological effect, it's necessary to take extreme precautions. News of the manual became a small issue in the presidential campaign. In his second debate with Democratic Walter Mondale, President Reagan had this to say about the CIA document.
PRESIDENT RONALD REAGAN: There's a man down there in that area that this was delivered to. And he recognized that what was in that manual was direct contravention of my own executive order in December of 1981 that we would have nothing to do with regard to political assassinations. We're not in the habit of assigning guilt before there has been proper evidence produced and proof of that guilt. But if guilt is established, whoever is guilty we will treat the situation then and they will be removed.

MACNEIL: The CIA did investigate. The agency's inspector general issued a report calling for disciplining six mid-level agency employees. The unnamed employees apparently were disciplined. Some CIA critics in Congress said the CIA may have violated a 1981 presidential executive order forbidding U.S. involvement in assassination attempts. Also, another law passed in 1982 prohibited spending U.S. money for the contras to overthrow the Sandinista government in Nicaragua. And, finally, congressional members of the House and Senate Intelligence Committees complained the CIA kept them in the dark on the agency's decision to write and distribute the manual. Charlayne?

HUNTER-GAULT: As Robin said, tomorrow the House Intelligence Committee takes a look at these issues, as we do now. First, with Democratic Congressman Norman Minetta of California, a member of the Intelligence Committee. Congressman, what's the purpose of tomorrow's hearings?
REP. NORMAN MINETTA (D-Calif.): Tomorrow's hearing is really to go over the inspector general's report as it relates to the manual and his investigation of it. We have had no opportunity since the manual became public in the early part of October to really review the circumstances for having the need for it, how the decision

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was made to bring the people on board, whoever did the writing of the report, etc. And so, that's something we will be going into tomorrow.

HUNTER-GAULT: But you're not satisfied with the inspector general's report and the action they took? Is there more to it than that? MINETTA: I think, basically, it's really to perform our oversight function of looking over what the CIA has done to this point.

HUNTER-GAULT: Is there anything that's particularly troubling you that hasn't come out so far that you will be specifically looking for or asking about? MINETTA: Well, so far, there's really been no foundation that's been laid as to what necessitated the CIA to come up with this manual. And if the reports are correct about them hiring a consultant and sending that person down to Central America, as to what kind of parameters were being used as far as what that person's responsibility would be as a consultant to the CIA in Central America. But none of this has been established yet, as far as we're concerned. And, again, we also want to take a look at what kind of disciplinary action has been taken as a result of the inspector general's report.

HUNTER-GAULT: You mean the disciplinary action that Robin just referred to... MINETTA: That's correct.

HUNTER-GAULT: ... of the six. You want to see specifically what they did with those people and whether... MINETTA: That's right, and were these the people, the ones who were responsible, in fact, for whatever, if things went wrong, and were they or are they just being scapegoats for, maybe others who should really be, have been disciplined instead.

HUNTER-GAULT: Is there anything that makes you feel that, perhaps, they might been, as they have charged? MINETTA: Well, I've had a chance to see the inspector general's report and I think that there's still a lot to be covered that wasn't in the report. And I think that's what we want to drive at tomorrow.

HUNTER-GAULT: Are you suggesting that you think that this thing may go higher than these six lower-level agents who've been disciplined so far? MINETTA: That is a possibility, plus, I think that there has been a violation of both the Boland amendment...

HUNTER-GAULT: Which is? MINETTA: Which is the one that prohibits the use of any funds for the overthrow of the government of Nicaragua, as well as the specifics under Executive Order 12333...

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HUNTER-GAULT: Which prevents assassinations and...
MINETTA: Which calls for the prohibition of use of assassination.

HUNTER-GAULT: Who, specifically, will be testifying?
MINETTA: I'm not really sure, but I think it will be some of the people from the Latin American division, as well as the international affairs division...

HUNTER-GAULT: Of the Central Intelligence Agency?
MINETTA: Of the Central Intelligence Agency. I'm not sure whether Mr. Casey himself will be testifying.

HUNTER-GAULT: Mr. Casey, the head of the Central Intelligence Agency? MINETTA: That's correct.

HUNTER-GAULT: All right. Thank you, Congressman Minetta, we'll come back. Robin?

MACNEIL: We get another view now, both of the manual incident and Congress's oversight role from Sen. Malcolm Wallop, a Republican from Wyoming. He serves on the Senate Intelligence Committee, which has not yet decided whether to hold its own hearings on the manual. Senator, do you see evidence in, that there's a possible violation of the Boland amendment, forbidding action, use of U.S. funds, to overthrow the Sandinista government?
SEN. MALCOLM WALLOP (R-Wyo.): No, I see none. First of all, the Boland amendment wasn't operative at the time. But, even had it been, it wasn't in violation of it. It was, in fact, in violation of a provision that both houses turned back with, by substantial margins offered by Representative Harkins which would have prevented it. But, I think you have to keep in mind that these people were simply not mercenaries of the United States. They were fulfilling one function for us, and another, quite another, for themselves. They were never in our employ.

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MACNEIL: Do you mean that it could have been their aim, as some of them have said, to overthrow the Sandinista government, but the U.S. aim in employing them, something different? WALLOP: Could have been their aim. But let me tell you that, under no circumstances, from the Carter administration forward, was the sole purpose of any support of the contras down there the interdiction of arms.

MACNEIL: Quite a lot of administration spokesmen have said that's what it is. WALLOP: No, I don't believe administration have. A lot of people in the Congress have said that that's the case. But it never has been the sole purpose. And had it been the sole purpose, then we would have rightly been accused of having these people solely as

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mercenaries. They would have lost their honor and would have quit. They wouldn't have been there.

MACNEIL: Well, what... MINETTA: May I make a comment?

MACNEIL: We'll come back to you in a moment, congressman, come back to you in a moment, congressman. Just, well, what then do you understand the administration policy now to be involving the contras in Nicaragua? WALLOP: Well, I understand the policy now to be none at all, because Congress has cut the legs out of any policy that there is, the president has, quite articulately, spoken on several occasions what his would be. But I must say that Secretary Shultz and Ambassador Motley have been at pains to, to say something quite different than that.

MACNEIL: Do you see evidence, from what you know, that the executive order the congressman referred to, prohibiting U.S. involvement in assassination, were violated, that that order was violated by this activity? WALLOP: No, I don't. As a matter of fact, quite the contrary. But, first of all, let me again suggest that these people down there are involved in a civil war. And I don't think Congressman Minetta or anybody else would have them firing indiscriminately at anybody that happened to be along. You might, as you noticed when you gave the introduction to this thing, it suggested that for neutralization, which may or not include that, it's another argument, that you pick your targets carefully. Why in the world should somebody shoot an innocent soldier following his orders, when there is somebody giving those orders? That's exactly what picking your target carefully was. It was not, I suggest to you, for psychological effect. The whole conduct of, of the civil war is a psychological conduct to be sure.

MACNEIL: As Charlayne has discussed with Mr. Minetta, six CIA employees have apparently been disciplined. Some of them have said they were made scapegoats for officials higher up. What is your view of that? WALLOP: Well, I've read the inspector general's report and I would suggest that it's always something of a poor idea to discipline those at the lower levels. If you want to really look for the blame, you might look just below the top, which is where that kind of an operation generally begins and ends. You might also want to find out who in the community leaked the fact that the director was down in Honduras about that time. There is a guerrilla warfare within the CIA aimed at discrediting the director and protecting some other level of administration.

MACNEIL: Well, as a member of one of the oversight committees, would you like to see those points pursued? WALLOP: Well, I think so, surely. First of all, I am not

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persuaded, even by the inspector general's report, that there was anything wrong done. The report, as Congressman Minetta says, leaves a lot of holes and that's certainly one of them.

MACNEIL: Well, thank you. CHARLAYNE?

HUNTER-GAULT: Is that a hole you'd like to see filled, congressman? MINETTA: Absolutely, and I think that's the reason for this hearing is to get into it. But I would like to disagree with Sen. Wallop on this whole issue of was the Boland amendment in effect at the time of the supposed writing of the manual in September of, or October of 1983? And the answer is: absolutely. It was in force. And so I think it's in direct violation of what the Boland amendment said.

HUNTER-GAULT: All right, let me get the senator to comment on that. But, before that, let me get you to respond to what he had to say, which, on that, which was that, even if it was in effect, it wouldn't have applied in this situation. MINETTA: Oh, I think it would definitely have applied. Again, this...

HUNTER-GAULT: Why? MINETTA: ...was a manual that was distinctly written to, to instruct people on how to overthrow a government. And, so that it was in violation of both the Boland amendemnt and the Executive Order 12333.

HUNTER-GAULT: Senator? WALLOP: The congressman either hasn't read the manual or is giving it a character, kind of assessment. Because, in point of fact, it called for the establishment of elections, it tried to change the nature of the government. And from President Carter's time forward, every single finding has been designed to say, as well, that they wanted to change the nature of the government. That doesn't say overthrow it. What they wanted to do, aside from anything else, is what those guerrillas, unlike those in El Salvador, fighting from the left, said if the government would permit them to take part in the elections, they would stop immediately.

HUNTER-GAULT: But what about the... MINETTA: Well, I don't know why the reference to... WALLOP: Well, I'm suggesting... MINETTA: ...President Carter, because the finding didn't come to us except from what presidential, from what President Reagan gave us in December of 1981. That was the whole beginning of this operation in Nicaragua. WALLOP: No, I suggest that the congressman's totally wrong. It started in the last year of the Carter administration, which they, at the same time they were contributing money, foreign aid to Nicaragua, made a finding that they had to change the emerging totalitarian

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nature of the Nicaraguan government. And every government, both Carter and Reagan, has said the same thing, that you cannot have a totalitarian government in Nicaragua that is also allied to the Soviet Union and have any stability in that region.

HUNTER-GAULT: But are you also saying, then, that the business of the neutralizing or assassinating or getting rid of enemies, so-called, in that system is allowed by those amendments? WALLOP: We're trying. And I suggest again that the word 'assassination' isn't in there. We can argue about neutralization and, if the congressman want's to say 'assassination' means neutralization, OK. What it says is quite specific--pick your targets carefully. I don't suggest and I don't believe that Congressman Minetta would have those guerrillas wandering around indiscriminately killing people who are not the enemies that they're trying to confront in the effort to reestabilsh democracy and freedom in Nicaragua, all of whom, or primarily all of whom, were former Sandinistas who felt that their revolution and their opportunity for democracy was hijacked from them. MINETTA: Well, one of the reasons the CIA even came back and said that the reason that we needed the manual was because there were some forces down there that there were doing things that we ought not to have them do. That we wanted to reign them in and so we had the manual. But what were some of the things they're talking about? Captain *Suiceeday, who we know committed atrocities, was one of those who they were talking about. Even Mr. Chamorro, who is one of the leaders of the FDN, talked about some of the atrocities that were going on and the need for the manual to reign in their own troops. WALLOP: Well, I don't quarrel with that. But I'm suggesting that the congressman's missing the entire point. These people were committing indiscriminate things. I do not see anything wrong with the idea that these guerrillas, in their own homeland, should try to shoot a Cuban, a Bulgarian, an East German or a Soviet adviser or a corrupt judge who is using the people who he seeks to liberate.

HUNTER-GAULT: Senator Wallop seems to have a different idea of what the whole purpose of the contra mission was and, therefore, a different interpretation of how the manual...how you do see what the purpose of the U.S. position, vis-a-vis the contras, was? MINETTA: I go back to a presidential finding talking about the interdiction of the arms supply from Nicaragua to El Salvador and the requirement, at the same time, to turn the Nicaraguan government inward. I think that came out of a finding in 1981. But from that point on, I have yet to see that one round of ammunition or that one pound of high explosives that has been interdicted, and if this was our mission, in

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terms of trying to cut that arms flow from Nicaragua into El Salvador.

HUNTER-GAULT: Let me just ask each of you, briefly, in the last few seconds we have, do you feel that this whole issue has raised any questions about Congress's oversight of the Central Intelligence Agency and if anything further should be done in that area? MINETTA: Absolutely. As a former military intelligence officer myself, I see the need for intelligence, but I think it also has to be done within the purview of the law. And I think that, in this instance, a law has been violated.

HUNTER-GAULT: Very briefly, senator. WALLOP: Very briefly, I think the problem with the Congress's oversight is that everybody thinks he's secretary of state and refuses to make a judgment on policy. And I again point out that that was not the purpose that Congressman Minetta has just described.

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