

28 May 1960

MEMORANDUM FOR: The Director of Central Intelligence  
SUBJECT: Appearance Before Senate Committee

1. Based on my observations yesterday during Secretary Herter's appearance before the Senate Foreign Relations Committee, I most emphatically agree with you that in your appearance Tuesday, you should go over to the attack and answer in your initial statement as many of the outstanding questions as you possibly can. I am sure you have clearly in mind what you intend to include in this opening statement, but, at the risk of citing the obvious, I would like to suggest that the following points be specifically included:

A) The authority under which the Agency made the overflights (NSC Directives stemming from the National Security Act of 1947. The Act was mentioned by Secretary Herter but Senator Lausche quite quickly discovered that there is no "action" language in the Act which really covers the point.)

B) The background and history of the project with particular reference to the great care which was taken to shield the activity from public knowledge.

C) The system of clearances for the various flights leading to specific authorization for an operation to

~~SECRET~~

004555

~~SECRET~~

- 2 -

actually take off. (You will be pressed to explain who had the final say. Mr. Herter stuck to the point that his role was advisory and told the Senators that they would have to ask you about the point of final authority. Senator Gore was a bloodhound on this one.)

D) The value of the targets which the May 1st flight was designed to cover - - put another way, were these targets so important that they justified a flight so close to the time of the Summit Conference? On this I would strongly suggest that you identify specifically the main installations on the flight path and what they represent.

E) The instructions to the pilot. Senator Long was interested in this and Mr. Herter gave an evasive answer which consisted in saying that he understood the pilot had been given an option. He then said that they should ask for this information from you.

F) The cover mechanism for the project and how it operated after the events of May 1. (I am not thoroughly conversant regarding our relationship and understanding with NASA on the point of whether or not they want to publicly admit that before the May 1st tragedy they were witting that the Agency was making overflights of the

~~SECRET~~

Soviet Union with their weather planes. I am sure that General Cabell or Dick Bissell knows this in detail, and it is important that your statement is comprehensive on all NASA angles. Several Senators queried about this from a variety of viewpoints. Doug Dillon handled all questions on this one, and kept saying over and over again that the Agency handled all dealings with NASA and that the Department had had no direct conversations with them.)

2. You asked that I enumerate what I thought might be particularly sticky points. Obviously, certain of these are cited above, but I would like to identify the following:

A) Did the President specifically approve the May 1st flight? You will note <sup>(in</sup> the transcript how Secretary Herter got around this question, but you will certainly be asked it too.

B) The confusion over news releases after May 1. I frankly think you should make a statement that the Agency consulted and coordinated fully and that we cannot take responsibility for certain confusion which inevitably was going to exist in such a puzzling and fast breaking situation, *with so many government agencies involved.*

*et*

C) When word was received that the plane was missing and how soon we knew it was down inside Russia. Since Mr. Herter talked about tracking of planes, which was obviously deleted from the transcript, I think you might as well give the Senators the true story. I recognize that this gets into the whole question of COMINT clearances, but, in light of various newspaper stories and other leaks, these Senators must know that things like this go on and the less you have to take cover on grounds of security, the better.

3. Some general impressions about the Senators and their attitudes:

A) I did not sense that the Agency was on trial. Senator Wiley made it clear that there was nothing the Russians would like better than to destroy the CIA. In fact, he is opposed to these hearings and to having you called at all. Senator Lausche feels we should be attacking the Russians, not pawing over our own Government. Senator Fulbright tries hard to hold a middle ground between Senator Lausche on one wing and Senator Gore on the other. This latter gentleman was the most persistent questioner of all and he hangs on like a rat terrier. His philosophy is set forth on page 247 of the transcript. Senator Morse seems to behave as one would expect him to. The other

Senators did not participate sufficiently to establish exactly what their interests were. Frankly, I think they will be delighted with the aggressive approach you plan. Underneath it all, there is a lot of admiration and good will, and I feel certain that they will react positively when they see that you are neither apologetic nor defensive.

*RH*  
Richard Helms  
Acting Deputy Director (Plans)

CC: DDCI  
DDP

P. S. In his testimony yesterday, Mr. Herter, in reply to a question as to whether there had been any Russian protests about our overflights, answered "that there had been no protests of these particular flights." When I saw the transcript, I told Mr. Bohlen that this statement was inaccurate, a fact which he verified with the Department on the telephone. By that time we were unable to revise the transcript. In point of fact a Russian protest is in the public domain, and General Cabell has the press version.

~~SECRET~~