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OLC 73-0188

7 March 1973

THIS DOCUMENT WAS SUBJECT TO ITT/CHILE JUSTICE INVESTIGATION

MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with Chairman John L. McClellan,
Senate Appropriations Committee, [redacted]

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1. Today I accompanied the Director and Messrs. Colby and Shackley to a meeting with Chairman McClellan and Senator Jackson (of the CIA Subcommittee of Senate Armed Services) where the Director explained our problems regarding investigation by the Church Subcommittee of Senate Foreign Relations into the Agency's relations [redacted]

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2. Chairman McClellan's first suggestion was that the Director explain directly to Senator Church the problems involved in going into detail regarding [redacted] before his Subcommittee. Senator Jackson recommended against this, and it was pointed out that Mr. Helms had already tried to get Senator Symington to intercede with Senator Church on behalf of the Agency, without success. It was also noted that members of the Church Subcommittee staff appeared determined to implicate and discredit the Agency in the matter and could not be counted upon to handle any information they obtain with discretion. With the active support of Senator Jackson we argued for an early meeting of the two CIA Subcommittees, under Senator McClellan's chairmanship, where we could freely discuss [redacted]

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[redacted] then provide limited written answers to questions posed by the Church Subcommittee, citing the Director's responsibility for the protection of intelligence sources and methods as justification for confining further details to our oversight subcommittees.

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3. There was discussion about seeking Senator Stennis' approval for the procedure, but Senators McClellan and Jackson counseled against it in view of Stennis' present condition.

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4. Chairman McClellan asked what the facts were in our relations [REDACTED] and what documents or other evidence the Church Subcommittee might obtain [REDACTED] to support their suspicions. Mr. Shackley explained the contents of those [REDACTED] with which we were familiar. This led to a discussion of Agency [REDACTED]

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[REDACTED] which in turn provided an opportunity for us to acquaint McClellan with the rationale, policy approval procedures, and methods of covert political action generally.

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5. Chairman McClellan questioned the legal basis for the jurisdiction of our Subcommittees and Senator Jackson pointed out that our Armed Services Subcommittee was officially recognized and identified in the listing of Senate Committees and that the jurisdiction of our Intelligence Operations Subcommittee of the Defense Subcommittee of the Senate Appropriations Committee rests on the fact that it has, over some years, appropriated funds for the Agency. McClellan accepted the proposal to convene our Subcommittees and set 10:00 a.m. on Tuesday, 13 March 1973, as the time (place to be decided). He said in order to avoid word of the meeting from being spread around he would not notify most of the members until Monday, 12 March. It was agreed that in addition to Senators Young, Pastore, Hruska, Symington, Jackson, Dominick, and Thurmond, Jim Calloway (of Senate Appropriations Committee staff) and Ed Braswell (of Senate Armed Services Committee staff) would also attend. Senator Jackson noted that, as in the past, there should be no transcripts of the meeting.

6. Following this meeting Chairman McClellan recommended that the Director personally deliver to Senator Church a "strong" letter explaining that the full details regarding the matters which he raised had been reviewed with the CIA oversight Subcommittees of Senate Appropriations and Senate Armed Services, and that, in view of the Director's statutory responsibility for the protection of intelligence sources and methods, these details were not appropriate for discussion outside of these Subcommittees.

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7. Chairman McClellan recommended the Director pay a courtesy call on Senator Milton Young and acquaint him with the problem before the 13 March meeting.

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8. Senator Jackson asked that we remind him to remind McClellan to explain his handling of the problem to Senator Fulbright at the first opportunity.

JOHN M. MAURY
Legislative Counsel

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