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Remarks:

Attached is the article by Tad Szulc which I mentioned at the 24 September morning meeting, entitled "How Kissinger Runs Our 'Other Government'." It appears in the 30 September issue of New York (not to be confused with The New Yorker). As you will see, Szulc discusses in some detail the 40 Committee and activities or organizations related thereto. This discussion touches on some matters I have not seen in public print, though its level of accuracy is no higher than that of many other articles by this author.

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How Kissinger Runs Our 'Other Government'

By Tad Szulc

"... No such overt and covert power in foreign policy has ever been vested in any man, except the president, in our history..."

A shadowy group of five powerful officials silently directing America's clandestine foreign policy from the basement Situation Room in the White House in Washington—the so-called "40 Committee" of the National Security Council—is the nearest thing we have in this country to a secret super-government body.

Headed by Henry A. Kissinger, this committee is not always accountable even to the president of the United States, although it has access to virtually unlimited unvouchered government funds and holds the power to order far-ranging covert intelligence and paramilitary operations around the world. And during the Nixon Watergate era, it may have had links with secret domestic intelligence units, possibly including even the "Plumbers."

Deriving its name from National Security Council Intelligence Decision Memorandum No. 40, which set it up in its present form in 1969, the five-man 40 Committee is the current incarnation of similar top-secret White House groups that since 1947 have authorized dozens of major covert intelligence undertakings from Asia to Latin America and from Africa to Europe.

The most recent *known* large-scale operation conducted by the 40 Committee was the assignment given the Central Intelligence Agency, at the cost of $8 million, to help orchestrate, from inside, the fall a year ago of the regime of Chile's late Socialist president, Salvador Allende Gossens, while other branches of the United States government applied a variety of simultaneous pressures from the outside.

This increasingly controversial enterprise was stunningly confirmed by President Ford at his news conference last Monday. His justification was both startling in philosophy and sparse on the facts, as he sought to give public legitimacy to the 40 Committee.

This was something no president had ever done before; actually, no senior official had *ever* publicly mentioned the committee.

Ford, in fact, institutionalized the concept of covert intelligence action (it was not even done during the cold war) when he commented that "Our government, like other governments, does take certain actions in the intelligence field to help implement foreign policy and protect national security . . . I am informed reliably that Communist nations spend vastly more money than we do for the same kind of purposes."

Action against Allende between 1970 and 1973 was one of Kissinger's high-priority projects. He personally assumed control of the C.I.A.'s covert moves, through the 40 Committee, and of a parallel economic and financial blockade, working through an interdepartmental task force.

To Kissinger, it appears, Chile was a "laboratory" test case to determine whether a regime he opposed could be "destabilized" or dislodged without the use of military force that the United States had chosen to apply elsewhere in the past. Specifically, Chile was a test of whether a democratically elected leftist regime, as was Allende's, could be toppled through the creation of internal chaos by outside forces.

Recent revelations of Kissinger's alleged role in the Chilean affair—he has denied any American involvement, although the C.I.A., in effect, has confirmed it—have set off the latest controversy swirling around the secretary of state, and have raised again questions about his credibility and future intentions.

There are reasons to suspect, for example, that the 40 Committee is studying plans for possible covert American intervention in the confused political process in Italy, where the Communist party may soon share power in a coalition government. Actually, more than a year ago the former U.S. ambassador in Rome, Graham Martin, reportedly asked the Nixon administration for secret funds to bolster the Christian Democrats in Italy—just as the United States had done in the crucial 1948 elections.

The 40 Committee reportedly also has on its agenda the situations in Portugal and Greece—where rightist regimes collapsed earlier this year and leftist influences are feared by the U.S. —as well as dangers facing the white governments in southern Africa in view of Mozambique's impending independence. The C.I.A. has a working alliance with South African and Rhodesian intelligence services against leftist black "liberation" movements.

Contingency planning to assure United States access to oil reserves in the Middle East and elsewhere is likewise said to be on the agenda. In fact, the C.I.A., working under a National Security Council mandate, did overthrow the Iranian government in 1953 after it nationalized foreign oil holdings.

Past activities by the 40 Committee and its predecessors have ranged from engineering the overthrow of foreign regimes disliked by Washington to the creation of secret armies and counter-insurgency units for the protection of governments enjoying our official favor. They have included political subversion, the subornation of statesmen, politicians, labor leaders, and others abroad, "black" propaganda, and the oversight of "spy-in-the-sky" espionage over the Soviet Union, China, and scores of other countries.

Overhead intelligence is the only form of actual espionage in the purview of the 40 Committee. The C.I.A., other intelligence agencies, and separate White House committees (also chaired by Kissinger) are concerned with the collection of normal intelligence.

The 40 Committee must approve, every month, overhead intelligence programs—from the regular launching of photo-satellites to secret flights by the

"...To Kissinger, Chile was a test case to determine whether a regime he opposed could be dislodged without military force..."

SR-71 spy planes—because of the risk of serious international complications. The U-2 incident over the Soviet Union in 1960 has not been forgotten.

The monthly plans are submitted to the 40 Committee by a C.I.A. committee so secret that its existence and its name—Comrex—have never before, to my knowledge, been publicly discussed. The National Reconnaissance Office, another top-secret organization under the 40 Committee's overall control, is responsible for the actual launching of overhead intelligence vehicles.

For nearly six years, the 40 Committee has been run by Kissinger, acting as chairman in his capacity of special assistant to the president for national security affairs. It is not relevant in this context that he has also held for a year the post of secretary of state. His power in the field of clandestine foreign policy has been unchallenged since Nixon took office in 1969. It remains so under Ford.

Kissinger has been for years the de facto boss of the United States intelligence community, greatly cutting down the influence of the C.I.A. in decision-making. No such concentration of power in foreign policy has ever been vested in any man, except the president, in modern American history.

Presently associated with Kissinger on the 40 Committee are Director of Central Intelligence William E. Colby, Chairman of the Joint Chiefs of Staff General George S. Brown, Deputy Secretary of Defense William P. Clements, and Under Secretary of State for Political Affairs Joseph J. Sisco. Membership on the committee is not personal: it goes with these four jobs. Because of successive changes in the other departments, Kissinger is the only man to have remained continuously on the committee for the whole period.

The possibility that the 40 Committee may have had connections with secret domestic intelligence stems from the fact that former Attorney General John N. Mitchell began attending meetings in 1970. Given the secrecy covering the 40 Committee, the White House

General George S. Brown, Chairman of the Joint Chiefs of Staff

William P. Clements, Deputy Secretary of Defense

Despite its name, the '40 Committee' has only five members. The group's name is derived from National Security Council Intelligence Decision Memorandum No. 40, which established the committee in its present form in 1969.

never announced Mitchell's presence; it became known from congressional testimony. No other attorney general had ever before served on the 40 Committee or on any of its forerunners.

Richard Helms, the former C.I.A. head, also testified that he thought, but was not certain, that former White House Director of the Domestic Council John Ehrlichman and White House Chief of Staff H. R. Haldeman may have come to one or two 40 Committee sessions. He said that they attended either meetings of the 40 Committee or of the Washington Special Action Group (WASAG), the White House foreign policy crisis-management committee. Both bodies are headed by Kissinger and have identical memberships.

One intriguing question is whether the 40 Committee—or Kissinger—may have wanted the Plumbers to help out in the covert operations against Chile. A half-dozen unexplained break-ins into offices and homes of Chilean diplomats in Washington and New York in the spring of 1972, just before Watergate, have been attributed to the Plumbers, although there is no proof.

Kissinger had had indirect dealings with the Plumbers since 1971, when he listened to an interview tape-recorded by David Young, his former aide and subsequently a Plumber, with a navy yeoman charged with secretly passing National Security Council documents to the Joint Chiefs of Staff.

To understand the basic functions of the 40 Committee it is essential to realize that almost invariably United States policy is executed on two parallel levels: overt and covert. The overt policy is visibly carried out by the State Department and other above-the-board agencies; the U.S. takes full responsibility for all their actions.

Covert policy, which must never be traced back to the president and the United States government (though it often is so traced because of failures or disclosures in the press or elsewhere), is the province of the 40 Committee today, as it was the responsibility of its predecessors.

It is thus an error to ascribe such American international adventures as the 1953 coup d' état in Iran, the overthrow of the leftist Guatemalan regime in 1954, the 1961 Bay of Pigs invasion of Cuba, the 1964 intervention in the Congo, the formation of the "secret army" in Laos in 1961, or the most recent involvement in Chile, to aberrations by a wild-running C.I.A.

In every instance, major undercover intelligence operations had been formally approved by secret political committees before the C.I.A. was free to proceed, although many, if not most, of these actions were unquestionably first proposed by the agency.

Because of the extraordinary secrecy

Illustrated by Burt Silverman

"... Aerial espionage plans come from 'Comrex,' a C.I.A. group so secret that it has never ever been publicly discussed ..."

surrounding the deliberations of the 40 Committee, and the complex system of special top-secret clearances designed to confine the number of officials apprised of covert operations to an absolute minimum, the government as a whole is kept totally in the dark about undercover foreign policy, even if it carries the risk of a full-fledged war.

There have been instances over the years when even secretaries of state remained uninformed about large covert operations and actually believed the White House-inspired "plausible denial" when the C.I.A. or the Pentagon were caught red-handed somewhere in the world. "Plausible denial" is one of the principles upon which the 40 Committee and its forerunners have operated. The idea is that the denial of a secret foreign enterprise must be believable enough to protect the president from embarrassment—or worse. Consequently, overt and covert policies often run at cross-purposes.

C.I.A. Director Colby, an old hand in clandestine operations, claims that covert activities have been sharply curtailed in recent years. But in a speech in Washington earlier this month before a conference on "C.I.A. and Covert Actions" organized by the Center for National Security Studies, Colby said that "in a world which can destroy itself through misunderstanding or miscalculation, it is important that our leaders have a clear perception of the motives, intentions, and strategies of other powers so that they can be deterred, negotiated about, or countered in the interests of peace or, if necessary, the ultimate security of our country.

"These kinds of insights," Colby said, "cannot be obtained only through technical means or analysis. From closed societies they can only be obtained by secret intelligence operations, without which our country must risk subordination to possible adversaries."

This, of course, referred to espionage by the C.I.A., presumably in Communist countries. But Colby also made a case for the kinds of covert political operations—such as those in Chile—that are of immediate concern to the 40 Committee.

"There have also been, and are still, certain situations in the world in which some discreet support can assist America's friends against her adversaries in their contest for control of a foreign nation's political direction," he said. "While these instances are few today compared to the 1950's, I believe it only prudent for our nation to be able to act in such situations, and thereby forestall greater difficulties for us in the future. . . . I would think it mistaken to deprive our nation of the possibility of some moderate, covert action response to a foreign problem and leave us with nothing between a diplomatic protest and sending the marines," Colby added.

In effect, Colby was saying that the United States *should* act to intervene covertly in the internal affairs of other nations if a new Chile-like situation arises in the future. He could well have been thinking of Italy, Greece, Portugal, or an African country when he spoke of the "control of a foreign nation's political direction." And, clearly, the definition of what constitutes "discreet support" and "moderate covert action" is left to the C.I.A. and the 40 Committee.

Colby was accurate in insisting that the C.I.A. performs covert intelligence operations—its "dirty tricks"—"only when specifically authorized by the National Security Council." In fact, the National Security Act of 1947, which created the C.I.A., provides that "it shall be the duty of the Agency, under the direction of the National Security Council . . . to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct."

Colby thus laid the responsibility for the C.I.A.'s far-flung subversive activities at the door of the 40 Committee, which is the National Security Council body in charge of approving covert intelligence operations. This was a way of saying that the C.I.A. will carry out whatever Henry Kissinger determines—and let him take the blame or the credit—even though Colby, too, sits on the secret committee.

In practice, a decision made by the 40 Committee is communicated to the director of Central Intelligence in a National Security Council Intelligence Decision Memorandum. The authorizing document, known as a N.S.C.I.D., is handed by Kissinger to Colby for implementation. Colby, of course, wears the two hats of director of the central intelligence community and of director of the Central Intelligence Agency. Colby then issues a D.C.I.D. (Director Central Intelligence Decision) to the C.I.A (which means himself) or whatever other agency—the Defense Intelligence Agency, the National Security Agency, or the State Department's Bureau of Intelligence and Research—may be involved in a covert operation.

At the C.I.A., projects approved by the 40 Committee are handled by the Covert Action Staff (formerly the Psychological and Paramilitary Division), one of the clandestine service branches in the Directorate of Operations.

In a case like Chile's, where the plan called for creating economic chaos, the C.A.S. would turn to its Economic Warfare Section as well as to other specialized sections. The Financial Section, for example, would be in charge of secretly purchasing currency of the target country for operational use.

In his new book on the C.I.A., Philip B. F. Agee, a former clandestine services agent, tells how the agency had to covertly buy hundreds of thousands of dollars' worth of Chilean escudos in New York, Lima, Rio de Janeiro, and Montevideo to help finance its covert operations against Allende during his unsuccessful presidential campaign in 1964. Massive conversion of dollars into escudos in Santiago would have aroused suspicion—recent testimony by Colby showed that the C.I.A. had invested $3 million in the 1964 campaign—and the agency was thus forced to fly valises of Chilean money into the country.

Kissinger, caught in the recent Chilean controversy, has been telling friendly newsmen that he should not be blamed because, after all, "95 per cent" of operations proposed to the 40 Committee originate with the C.I.A.

The record and a certain knowledge of the 40 Committee's *modus operandi* do not entirely bear out Kissinger's exculpative assertions. In the end, the final decision is his—or the president's.

All indications are that Kissinger raised the Chilean problem in the 40 Committee when it met in the White House Situation Room on June 27, 1970, to consider actions if Allende were elected on September 4. Kissinger was quoted as saying that "I don't see why we need to stand by and watch a country go Communist due to the irresponsibility of its own people." It was at that meeting that the committee authorized the C.I.A. to spend $400,000 for covert political propaganda against Allende's candidacy.

A former White House official reports having seen a memorandum with an August, 1970, date, signed by the C.I.A. liaison offier with the 40 Committee, authorizing the expenditure of $200,000 in unvouchered funds for the covert media campaign against Allen-

de. The memorandum was on White House stationery and made no reference to the 40 Committee. The 40 Committee keeps no files, and written references to it in official documents, no matter how secret, are forbidden.

On July 24, 1970, Kissinger ordered his regular staff to prepare a National Security Study Memorandum on Chile. Known as NSSM-97, this secret document outlined options for the Nixon administration should Allende win. The options ranged from the type of clandestine C.I.A. action ultimately undertaken to severe economic measures designed to undermine the Allende government and create chaos that, it was hoped, would lead to a military revolution.

Allende won a plurality, but not a majority, in the election, and a runoff was to be held in the Chilean Congress on October 24 between Allende and Jorge Alessandri, the conservative runner-up supported by the United States. On September 18, therefore, Kissinger reportedly proposed to the 40 Committee that the C.I.A. be authorized to expend $350,000 to bribe Chilean congressmen to vote for Alessandri.

By all accounts, then C.I.A. Director Richard Helms was cool to the idea on practical grounds, as was Charles A. Meyer, then assistant secretary of state for inter-American affairs, who was invited to be present as an expert at the 40 Committee meeting. Kissinger, however, carried the day with the support of the other 40 Committee members, including U. Alexis Johnson, then under secretary of state for political affairs. Helms fell into line.

As Colby testified in a closed congressional session last April, the 40 Committee ultimately approved a total of $8 million to "destabilize" the Allende government. In earlier testimony, Kissinger had flatly denied any United States or C.I.A. involvement in the Chilean coup.

In his appearance at the Center for National Security Studies, Colby did not deny that the C.I.A. had spent the $8 million in Chile. He insisted, however, that the money was not used to trigger the coup, but "to help our democratic friends in Chile" to vote the Socialist regime out of office in the 1976 elections.

Colby did not explain why America's friends were "democratic" while the Allende crowd, put in office in a free election, were not. But even if the C.I.A. and Kissinger really were not aiming at a coup, the fact remains that the U.S. had deeply intervened in Chile's internal politics. Intervention in internal affairs of a pro-U.S. or neutral country by Communists is, of course, regarded by Washington as a heinous act, justifying reprisals.

"...The real problem with Ford's story is that it flies in the face of the facts..."

Ford's justification for the American interference in Chilean politics was that it was done "to help and assist the preservation of opposition newspapers and electronic media and to preserve opposition political parties." His previous sentence was, "There was an effort being made by the Allende government to destroy opposition news media, both the writing press as well as the electronic press. And to destroy opposition political parties."

The president then concluded, in words probably not heard publicly since Teddy Roosevelt's day, that what the United States had done in Chile was "in the best interest of the people in Chile, and certainly in our best interest." With this, Mr. Ford took us back to the "Father Knows Best" approach in American foreign policy.

However, the real problem with the Ford exposition is that it flies in the face of facts, and suggests that the new president does not do his homework in a crucial area of foreign policy. Instead, he seems to rely on advisers who either do not know any better or act self-servingly.

In the first place, the Allende regime never openly violated the Chilean constitution. The Chilean Congress, dominated by Allende's opponents, functioned until the last day (there is no Congress, nor even political parties, under the military junta that replaced Allende); there was no serious interference with the freedom of speech and press (now there are only pro-government newspapers); and there were no political prisoners other than a few persons charged with political crimes such as assassination (now there are at least 20,000 political prisoners, and torture is common). Allende, in fact, lost two important congressional and municipal elections after coming to power.

Obviously, the leftist Allende regime fought its opposition through a variety of means—not all that different from what Mr. Ford's political party here did to the Democrats under his predecessor. To be sure, there were extreme leftist armed goons and terrorist squads, but the right-wing opposition had its own armed groups. It would be useful to learn whether any of the opposition's weapons came from the outside as the United States aided its "democratic friends."

In the second place, the opposition press in Chile (comprising the majority of important newspapers and radio stations) was never on the brink of destruction—certainly not to the tune of $8 million or whatever sum the C.I.A. spread among its media clients. *El Mercurio*, the principal opposition newspaper in Santiago, was closed down once or twice for short periods for advocating insurrection. It is true that *El Mercurio*'s owners were divested of their banking and shipping holdings, but this was hardly an injury to the freedom of the press—and certainly none of our business.

Mr. Ford's astounding comments, coming in the wake of Colby's admissions on the role of the C.I.A. in Chile, not surprisingly led the Senate Foreign Relations Committee the next day to vote to reopen its investigation of the American participation in the Chilean events. It may become the president's first serious dispute with Congress over foreign policy (senators take a dim view of the Ford contention that the 40 Committee and covert "dirty tricks" abroad are fully justified), and former senior C.I.A. and State Department officials may face contempt and perjury charges for their earlier denials that the United States was involved in anti-Allende activities. Inevitably, Kissinger's credibility is once more at stake.

And there still remains the question of violating international law through such acts. Most international law experts agree, at least in theory, that U.S. covert activities violate it more frequently than anything perpetrated by the Russians or the Chinese outside their immediate area of influence.

President Ford, however, is not interested in legalities. He told his Monday news conference that "I'm not going to pass judgment on whether [the destabilizing of foreign governments] is permitted or authorized under international law. It's a recognized fact that, historically as well as presently, such actions are taken in the best interests of the countries involved." He was apparently making the point that what was good enough in the past is good enough today.

Then there is the problem of the 40 Committee's accountability. The C.I.A. is accountable to four special congressional subcommittees, though none of them ever seriously questions the agency's activities and expenditures. The Senate Armed Services Subcommittee on Intelligence sometimes fails to meet more often than once a year.

But the 40 Committee is not accountable to anybody. There are no minutes of its formal meetings, which occur once or twice a month. Additionally,

Kissinger also runs the 40 Committee through telephone consultations. But inasmuch as the other four members are burdened by their day-to-day duties, Kissinger in effect often obtains unanimous decisions almost by default.

In the area of accountability, too, President Ford was either misinformed himself or misinforming the public. He said that the 40 Committee's decisions are "relayed to the responsible congressional committees, where [they are] reviewed. . . ." This, of course, is not so. There is no known instance of the 40 Committee—or its chairman—consulting with any congressional committee about what it orders the C.I.A. to do. When a committee discovers something, it comes from the press or, begrudgingly, from the C.I.A. after the fact.

Under the Kennedy and Johnson administrations, when the super-government body was known as the "303 Committee" (under Eisenhower it was called the "54/12 Committee" and under Truman it was first the "10/12" and then "10/15"), the preparatory staff work was of greater importance than it is today.

The 40 Committee, the State Department, the Pentagon, and the C.I.A. still prepare the agenda quite carefully, but it carries less weight. In the State Department, this function is in the hands of the Intelligence and Research Bureau. At the Pentagon, the work for the deputy secretary of defense and the chairman of the Joint Chiefs of Staff is done by the special assistant to the secretary of defense for covert intelligence. The C.I.A. prepares the agenda in Colby's executive offices.

The tentative agenda is first reviewed by State, Defense, and C.I.A. officials to determine which projects should be presented to the full 40 Committee. But most operations—when they reach the 40 Committee—are approved with only limited scrutiny. They may range from ongoing operations in, say, Indochina, to the intervention in Chile, exploratory covert actions in Italy or Greece, or something as insignificant as authorizing the spending of $50,000 to help out a friendly newspaper in a foreign country. For years, the 303 and 40 Committees approved expenditures through the C.I.A. to keep alive Radio Free Europe and Radio Liberty—broadcasting, respectively, to Eastern Europe and the Soviet Union.

Not surprisingly, for security reasons, the 40 Committee has virtually no staff of its own. Formally, a single C.I.A. official is assigned to the committee to handle the staff work; he is assisted by a typist who probably has the highest security clearance of any secretary in Washington.

Kissinger maintains private liaison with the C.I.A.'s clandestine services, known as the Directorate of Operations, through another C.I.A. operative. This would make it possible for Kissinger to bypass not only his own 40 Committee but even C.I.A. Director Colby. In the past, Kissinger had a similar personal "back channel" to the Joint Chiefs of Staff to bypass Melvin R. Laird, then secretary of defense, to order covert air strikes in Indochina.

The National Security Council is directly subordinate to the president. As an organ of the N.S.C., the 40 Committee is theoretically accountable to the full National Security Council as well as to the president. There is no evidence, however, that the 40 Committee ever reports to the Council. What is not known is whether Kissinger seeks presidential approval for every decision taken by the 40 Committee.

"You can argue that in some cases Kissinger will not inform the president of the United States of a covert operation in order to protect him from knowledge and avoid embarrassment to him," a senior intelligence official said. "If the scheme works he can decide later whether the president should be bothered with the details. If it fails, there's plenty of time to tell him. And sometimes presidents figure that what they don't know doesn't hurt them, so long as it doesn't get out of hand."

There is a legend in the intelligence community that only the president can authorize the assassination of a foreign leader. This is, so the story goes, one time when the chairman of the 40 Committee simply must consult the president. But no official in Washington can say whether this has ever been tested. "The president doesn't order assassinations—period" is the answer to inquiries on the subject.

Still, one is haunted by the thought of such extraordinary power being so tightly held and exercised in absolute secrecy by a tiny group of men—even if it does sometimes include the president. C.I.A. Director Colby's claim that, in effect, the United States must have the option to covertly do away with any foreign government it finds objectionable—without the repugnant alternative of "sending the marines"—must sound alarming to a democratic society that says it stands for the rule of law in the world order. And it is Henry Kissinger, speaking for the United States, who rhetorically invokes the principle of world order.

As for President Ford and his "open administration," his view is that nothing needs changing: he told his news conference last Monday that "It seems to me that the 40 Committee should continue in existence."