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Situation Report

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The disgraceful and dangerous decline of the prestige and vigilance of our intelligence community has never been so marked as at this hour. Only the other day in Washington, on October 25, there was this astonishing admission before the National Press Club by Admiral Stanfield Turner, head of the long trusted service created by the Congress 31 years ago to serve as the "eyes and ears" of our national security systems:

"In the nineteen months that I have been Director of the Central Intelligence Agency, I have come into the habit of screening the press clips first thing every morning. I almost hold my breath until I know if today's disclosures include some of our sensitive sources of intelligence. Sometimes it comes out as a leak, sometimes from the forced testimony of one of our officers in court and sometimes from the subpoena of a document or notes."

Then Admiral Turner went on to say something even more dismaying:

"Allied intelligence services are losing confidence that we can keep a secret. We suspect that some are holding back information. One recently withdrew a proposal for a joint covert action which would have been beneficial to both nations. It did so when reminded that I must notify eight committees of Congress of every covert action. They could not imagine that the plan would not leak."

Three days later, in Chicago, Director of the Federal Bureau of Investigation, Judge William H. Webster, in a talk on the subject of law enforcement, at a luncheon sponsored by that City's Crime Commission, cited statistics that were hardly less disturbing. The Associated Press in its report on Judge Webster's remarks quoted him as saying that some 1,900 "spies" from the Soviet bloc — meaning the Soviet Union plus its satellites — are already operating inside our borders, that their numbers have doubled over the past twelve years, and that 100 new ones had entered the country during the three preceding months.* "They are here," he said gravely,

noting that their work "is not something that occurs only in a James Bond movie." He proceeded to list their primary fields of interest — not only the classical secrets in the Pentagon, but also our most valuable technological secrets in microelectronics, lasers, computers, nuclear energy and aerospace.

There is certainly no want of recent public documentation of the causes for their concern. In Admiral Turner's situation, there was the electrifying arrest late in August by the FBI, of the junior CIA watch officer, William Kampiles, who allegedly stole one of the Agency's three top-secret manuals describing the technical characteristics of our most advanced reconnaissance satellite, the KH-11, and sold it to the KGB. (At the start of Kampiles' trial, in Hammond, Indiana, on November 6, the Department of Justice made the staggering disclosure that a survey of government agencies, all supposedly under iron-clad security, has revealed that 13 other copies are missing from the safes and cannot be accounted for.)

In Judge Webster's situation, there was the highly publicized conviction by a New Jersey jury on October 30, of two Soviet KGB employees of the United Nations, Valdik Enger and Rudolf Chernyayev, who were sentenced to fifty years in jail for trying to buy from a U.S. naval officer the secret details of an anti-submarine weapon system. And, finally, again relative to Admiral Turner's responsibilities, there is the acutely embarrassing and costly behavior of the renegade CIA officer, Philip Agee, who is making a career out of exposing CIA operations, real or falsified, and of blowing the cover of the Agency's officers engaged in covert activities abroad.

*The FBI's public relations office subsequently stated that Judge Webster spoke from notes and that the figure of 1900 was used only in connection with the Soviet officials accredited to this country. The Bureau stood by his count of the latest augmentation in the ranks of Soviet bloc spies, however.

A reasonably attentive citizen who has tracked the fall of the fortunes of the CIA and the FBI since the onslaught of the Church and Pike committees of the Congress three years ago, could have hardly escaped a sense of irony, even a trace of crude hypocrisy, in the complaints of these foremost custodians of the national security. For on the same day that Admiral Turner was wringing his hands in the presence of the Washington press corps over his inability to stopper the leakage of the national secrets and three days before Judge Webster was supplying the senior members of the Chicago bar with the latest count on the swelling number of "spies" in our midst, President Carter signed a bill that all but extinguishes the Presidential authority, under the constitutional sanction afforded the Executive power, to put suspected leakers and would-be traitors under timely surveillance. Both of them in their high office appeared as witnesses in enthusiastic support of that bill. They spoke up for its claimed merits before the concerned committees of Congress. Now the realities they rashly chose to ignore are crowding them and they do not seem to know how to cope with the growing threat to the nation, committed as they seemingly have been to the administration's course of populist expediency that has gravely weakened the capabilities of its own intelligence and security agencies to meet it.

considered themselves empowered under the authority vested in them by the Constitution to order such eavesdropping in the interest of national security. Six years ago, however, the Supreme Court ruled that the practice was unconstitutional when used against Americans, and resident aliens unless authorized by a Federal court, and furthermore, the President's right to use it even against foreigners without sanction of the courts was suddenly thrown into question.

Now the Congress has attempted to resolve the issue, at least for the time being, by subjecting this extremely delicate and indispensable counterintelligence function to a process that can only be described as a triumph of civil libertarian faith over the realities of espionage and subversion. Where the target is a foreigner, or a foreign establishment, a warrant for the wire-tap must now be obtained from a rotating panel of seven Federal Judges nominated by the Chief Justice of the Supreme Court. Additionally, the several Congressional committees concerned with intelligence must be made privy to the operation and their approval sought at the risk of the high likelihood of leakage which such a process invites. Where the designated target is an American, the restrictions are even more severe. The Government is obliged to produce proof that a crime of espionage or terrorism is in all probability in preparation, if not actually in process — proof no self respecting KGB agent is hardly likely to leave strewn about.

Senator Edward Kennedy of Massachusetts pushed the measure through the Congress. He had the help of a powerful coalition of anti-CIA/FBI lobbies, led by the American Civil Liberties Union and the Center for National Security Studies, a left-wing political action group headed by Morton Halpern whose role in the publication of the Pentagon Papers established him as a master wrecker of national

A LOST BATTLE

This particular piece of legislation, introduced in the Senate as S-1566 and in the House as HR-7308, has become known as the Electronic Surveillance bill. Defined narrowly, it stipulates the conditions under which the counterintelligence services are permitted to put wire-taps and other forms of surveillance on foreign and American individuals, or groups, suspected of being engaged in espionage. From Franklin Roosevelt's time, Presidents have

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security safeguards. Your Fund opposed the bill.

Our first two Situation Reports analyzed its inherent faults at considerable length. Right up to the last hour, in the closing days of the 2nd session of the 95th Congress, there was a good chance that the bill could be killed. Senator Wallop of Wyoming and Representative McClory of Illinois labored sturdily and brilliantly in opposition, but a filibuster being mounted to stave off a vote failed to develop because of missed signals: and on Monday evening, October 9, half an hour before midnight, the bill was passed.

While an important battle has been lost, the campaign has not, fortunately for the intelligence community. The Electronic Surveillance measure represents only a fraction, albeit a significant fraction, of the omnibus bill for reorganizing the entire intelligence community and setting the boundaries of its work and authority. That measure is designated as S-2525; its formal name is the National Intelligence and Reform Act and the Electronic Surveillance law constitutes Title III of its six constituent parts. The principal objective of the whole Act, set forth in Title I, is to herd the entire intelligence community with its diverse talents and departmental interests, into one vast bureaucratic corral responsible to a single super Director who would be responsive in more or less equal measure to eight committees of Congress as well as to the President. Titles IV, V, and VI define the separate functions to be assigned to the Central Intelligence Agency, the Federal Bureau of Investigation and the National Security Agency respectively, while Title II proposes to narrow their authority to act against Americans suspected of being engaged in espionage. In a word, it seeks to fence in the counterintelligence function, the primary defense against spies, traitors and subversives.

Your Fund, in earlier Situation Reports, analyzed S-2525 in its many faulty, even dangerous aspects, and solicited your support for its defeat. The bill is a distillation of the phobias and fantasies entertained by the Church and Pike Committees which separately set out to prove, in their sensation-seeking hearings in 1975, that the American intelligence community and the CIA in particular had run amok and (in the words of Senator Church) was behaving like "a rogue elephant", indifferent to the will of Congress and out of the President's control. Senator Church, Vice President Mondale who was Church's principal lieutenant during the hearings, and Mr. David Aaron, then a member of Mondale's staff and now a deputy

Director of the National Security Council, are the front-line supporters of the bill inside the Government: they and their aids drafted it. Outside, its most ardent backers include the American Civil Liberties Union, and Mr. Halpern's newly formed Center for National Security Studies. Hardly less active is the Committee for Public Justice, a group which would abolish all intelligence operations within our borders. Featured among its founders is the writer Lillian Hellman, equally celebrated in both communist and anti-communist circles for her resort to the Fifth Amendment some years ago before Congress when confronted with the question of whether she was a communist or consorted with communists.

The ostensible purpose of the authors of S-2525 is to confer a new charter on the intelligence community, one that will govern its operations and the scope of its responsibilities. What is bewildering is that they have set out to do all this without first defining the magnitude of the threat with which it is expected to contend. In point of fact, Executive Order 12036, drafted largely by the same people and issued by President Carter on January 26, is already operating inside the community with all the force of a charter. Passage of the bill will, in practical terms, codify in formal legislation what is already in action and, if anything, further tighten the constraints on the intelligence community. For us, the members of this Fund, the controlling factor in the strategy seeking a thoroughgoing recasting of the legislation is the fact that the struggle has just begun; the lost action over the Electronic Surveillance bill, Title III, was only a skirmish. Titles I, II, IV, V, and VI have not yet reached the floor of either house. In fact, none of the bill has yet been reported out of committee. So nothing beyond recall has been settled. The fate of S-2525 moves into the new Congress, which looks to be more sensible in the matter of security issues than did the last. In the course of the coming debate, which is certain to be prolonged and bitter, the bill, a huge document currently running to some 263 pages, should be thoroughly rewritten, Title III along with the rest.

That is the comforting circumstance — perhaps the only one — in the existing legislative situation to keep in mind. The campaign against S-2525 has only just begun.

SPIES AND LEAKERS

Undoing the damage inflicted upon the national intelligence functions by the Church and Pike Committees and their liberal-left allies

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is at best bound to be a prolonged and difficult process. Much more than their capability to collect information abroad and mount covert political actions in support of allied governments has been lost or all but crippled. The government's ability to protect secrets associated with our military resources and strategic plans and policies has also been gravely weakened. S-2525, for example, would provide stern criminal sanctions for "egregious intrusions" by the intelligence community on the privacy of Americans, but it is all but mute on the sanctions that should be allowed the government in fending off or punishing those Americans who intrude on the national security by leaking classified information in quarters not entitled to it or passing it on to foreign agents.

This neglected side of the great question of the proper role of national intelligence in a democratic society has been the subject of a year's study by the Senate Intelligence Committee's subcommittee on Secrecy and Disclosure. Its report was published on October 10. The findings, reflecting the civil libertarian biases of its majority members, were hardly sensational. In its examination of some 40 cases involving violations of national security statutes it was unable to find a single example of the successful prosecution of a leaker of classified information to a publication. In classical espionage situations, where such information was passed on to foreign agents, the subcommittee discovered that prosecution was often stayed because a trial and a successful prosecution would compel the exposure of classified information harmful to the national security.

About all that the subcommittee's learned report does for the enlightenment of the public in a difficult problem affecting the condition of our national security, is to confirm an unmanageable phenomenon that had been in view ever since the leak of the Pentagon papers. It is that there has been, among other damaging consequences, a disastrous breakdown in the administration of the criminal espionage statutes, most conspicuously in cases of leaks. The trouble arises in large degree because of an impasse between the Department of Justice, charged with enforcing the criminal law, and the directors of the various intelligence agencies, charged with protecting sources and methods.

It stands to reason that the more sensitive the information, the more difficult it is for the intelligence community to open to the law enforcement branch the material the latter must have to bring leakers and spies to justice. "The

to the law," the Subcommittee observes rather sanctimoniously, "and protection of national security is a fairly fragile one". But not so fragile, let us pray, that the dilemma cannot be resolved short of moving on to a system of secret trials of the kind permitted under the British Official Secrets Acts.

Senator Wallop, a member of the subcommittee, has proposed one way around the problem, in the case of leakers. It is that the question of whether a leak of classified documents was or was not made, be decided in public trial. The question of the harm done to the national security, a consideration apart from the question of the accused's guilt or innocence, or even his motive, would be tried *in camera* by a judge cleared for access to pertinent secrets, with or without a cleared jury, but with cleared attorneys. But the majority members, while conceding that "a major recasting" of the espionage acts *may* be overdue, were prepared to settle for marginal changes, such as one that would give judges more authority in excluding sensitive evidence in espionage cases. They did agree, however, that something has to be done about punishing those who willfully disclose the names of American intelligence agents. It's about time.

PHILIP AGEE'S NASTY WAR

Because of these frustrations, present and in the making, a feeling of anxiety bordering on paralysis has gripped our intelligence services, and most acutely our first line of defense - counterintelligence. A dismaying example in full public view is the helplessness of the Central Intelligence Agency's leadership in the face of the malign challenge of the man named Philip Agee, long a trusted undercover officer on the covert side of the house. Mr. Agee's case deserves close study by those of us who are alarmed by the sudden vulnerability of the CIA to destruction by deserters from its own long unbroken ranks. For his effrontery offers chilling instruction in how closely, in the fog of legalisms that has settled over the statutory authority and sanctions of the national security bodies, a mischievous man can sail so close to the wind in a betrayal verging on treason and get away with it.

Mr. Agee is 43. It has been reported that he has taken up a furtive residence in Rome. He left the CIA in 1968, while posted in Mexico City, after 11 years of service, mostly in Latin America. His marriage had failed, he was discontented and his estranged wife was threatening to expose his calling. (By his own account, he was

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attached to the Olympic Organization Committee, where he worked with friendly agents who had access to members of the Soviet delegation, which also served as cover for the KGB.) The respite afforded the CIA by his going was short-lived. Three years later Mr. Agee threw off his old CIA cover himself, crossed over to the other side and set about the shabby business of exposing to our foes the names and activities of his brother officers in the traditionally reticent profession of intelligence, and whatever information he was able to ferret out about others, who were strangers to him.

Where he has been cunning has been in evading the stigma of traitor. He has not openly renounced his allegiance to the United States, as ordinary defectors do. Nor has he called the country an enemy, as an avowed traitor would do. The sinister and unique path which Mr. Agee treads, still holding American citizenship, stops short of all that. His betrayal, he would have innocents believe, is concerned only with the business of his former agency which he describes as "the secret police of American capitalism". His single minded aim, so he avows, is to destroy that agency, if he can, for the higher purpose, in his distorted vision, of purifying the American role in the world.

Mr. Agee's weapons are a typewriter, the classified information in his head, and a driving ambition, as he recently put it, "to bring about the abolition of the CIA and a total end to American interference in the affairs of other countries". He has published two books, contributed many articles to the radical press, and launched a radical magazine, all aimed at achieving his declared purpose by (1) fanning the liberal-left's outcry against the agency; (2) luring the Congressional committees and the press into never-ending "exposures" of CIA people and their activities and (3) mobilizing a world-wide campaign from within and without to reduce it to impotence.

His first book, which purports to be autobiographical, is entitled "Inside the Company: CIA Diary", published in 1975. It appears to have been written, in its various parts, in Mexico City, Paris and London; financed by communist and probably KGB sources, and fleshed out with information, more than a little of it either false or mendaciously misleading, acquired by the author's clandestine excursions, under various aliases, to Soviet bloc sources in Moscow, Havana, Mexico City and other Latin American capitals.

As a piece of literature, "Inside the Company" is not a work of art. Its sensational

impact derives from Agee's treachery in naming 170 CIA colleagues and friendly agents, all previously under essential and presumably inviolable cover, whom he has worked with in Latin America, or knew, or speculated about. Worse still, he revealed, in detail, a number of intelligence operations which he was sworn, by the oath of his employment, never to divulge.

THE COSTLY CONSEQUENCES

Because Mr. Agee placed his book with a British publisher, Penguin, the Government Agency was powerless to stop him, his oath notwithstanding. Few books by an unknown writer have caused so much damage to a national institution. To our general misfortune, Mr. Agee knew a great deal about American political and intelligence anti-communist activities in Latin America — their aims and scope, as well as the managers. His disclosures forced an emergency recasting of the Agency's establishment south of the Rio Grande. In money terms, the out-of-pocket costs to the taxpayer of shifting officers whose covert assignments have been bared, and pensioning off or transplanting active agents of influence whose usefulness had been destroyed, ran to millions of dollars. (More than 100 agents, some of them highly placed in their own countries, and all sharing American aims, either broke off the collaboration in fury or had to be taken from the roster because they became marked men.) The careers of CIA officers, many of them in the prime of usefulness, were summarily interrupted and diverted; and the anguish visited upon their families, not to mention the physical danger to them, that went with exposure, must be included in the final cost. (A year before, in 1974, the CIA Station Chief in Athens, Greece, Mr. Richard Welch, was assassinated after a now defunct radical journal, CounterSpy, with which Agee had become associated, put him in the bull's eye by naming him as a CIA officer.)

Even so, the costliest consequences of Philip Agee, in the long run, was the damage to the agency's reputation among the friendly intelligence services with which it had worked in mutual trust and confidence for three decades. Senior officials of the Agency confirm that Admiral Turner was telling an unpleasant truth when he admitted that a number of these services have lately been less than forthcoming with information valuable to the common interest. The reason for their caution is hardly surprising: our friends have lost confidence in the ability of the American government, in the

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present climate of our politics, to hold the malcontents in the rank of its intelligence services to their oaths of secrecy.

In the welter of mischief, the Department of Justice chose to stand aloof at that juncture, Mr. Agee having decided to stay out of its jurisdiction by giving the American shores a wide berth. It was our European allies who finally moved to put him out of bounds. Between June, 1977, and May, 1978, five NATO governments declared his *persona non grata*, one after the other — Britain in June, 1976, the French in August, the West Germans in December, the Dutch, who had given him sanctuary after the British deported him, the following March and the Norwegians in May.

The Germans gave no reasons for running Agee off the premises. Nor did the Norwegians feel it necessary to explain why they turned him back at the frontier. The Dutch ruled only that his conduct "could be detrimental to . . . good relations with other powers" and the French noted cryptically Agee's "past behaviour" and the unwanted "consequences that some of his current activities" could engender.

It is the British handling of Agee which affords us Americans a reasonable model for grasping the constitutional nettle which a depriving action of this sort demands, pitting as it does the security of the state against the civil or First Amendment rights of the individual. In November, 1976, the Home Secretary, Mr. Merlyn Rees, put Agee on notice that he proposed to send him packing under the 1971 Immigration Act. That law allows the Home Secretary, as the Cabinet member charged with defending internal security within the United Kingdom, to deport an undesirable alien without a public disclosure of his reasons. It suffices for him to lay the evidence before an independent advisory panel, made up in Mr. Agee's case, of a distinguished lawyer, a retired senior Civil Servant and a retired trade unionist. The defendant is free to make his representations before the panel *in camera*, but the panel is not bound on its side to expose the merits of the case laid before it. The panel thus serves as a shield for the sources of the Government's intelligence, usually the highly competent counter-intelligence service, MI-5.

By bringing forward dozens of witnesses and a troupe of left-wing lawyers, including the former U.S. Attorney General, Ramsay Clark, Mr. Agee managed to drag out the hearings into May, 1977. His British prosecutors never told him in detail why they were throwing him out. In an obvious ploy to elicit a response, he

speculated in a press interview that the provocation could have been his visit to Jamaica during the previous September, when he raised the charge that the CIA had plotted to unseat the popular Prime Minister of the former British possession, Michael Manley, and he named U.S. Embassy officials as the alleged plotters. That would itself have been cause enough for a friendly country to find him unwelcome; but Agee's wild shot drew no return fire. In Parliament, the House of Commons upheld the order of expulsion by 138 to 4, and the Home Secretary threw Agee out of Britain under the shadow of a finding that he "had maintained regular contacts harmful to the United Kingdom with foreign intelligence officers" and "disseminated information that endangers British security".*

"OUR" MAN IN HAVANA

All this was so much water on Agee's wheel. He was acquiring an international reputation as a CIA turncoat. While the British finding was still in suspense, he gave an interview on Australian television in which he credited five alleged CIA officers in Canberra, whom he named, with masterminding the overthrow of the left-wing Whitlam Labor government two years earlier. And a month later, a radical magazine in Athens, "Anti", brought out an article by him which identified as CIA officers some 64 Americans attached to the American Embassy in Athens together with 175 more whom he alleged to have served there earlier under diplomatic cover. He supplied what read like plausible descriptions of various intelligence operations in which they were engaged and, for good measure, in still other "revelations", he turned a lurid eye on U.S. intelligence operations in Sub-Saharan Africa, and Indonesia.

Now in full cry, Agee has returned to his relentless pursuit of a wounded and rattled quarry. In July, he re-emerged from the shadows of Europe into the Havana sun where he attended the 11th World Youth Festival, a periodic gathering of radical youths from both sides of the Iron Curtain. While Fidel Castro is the host, the festivities are manipulated behind his facade by the Soviet bloc KGB and its Cuban counterpart - the DGI. The purpose is to bring eager apprentice revolutionaries from the West

*Expelled with Agee was another American leftist, Mr. Mark Hosenball, a writer-reporter whose forte was slandering the CIA. His crime was gathering information "prejudicial to the safety of servants of the Crown" — i.e., matter relating presumedly to sources and methods essential to British intelligence.

into fraternal association with the rising cadres in the international communist apparatus. Agee was attended by a retinue of American radicals, all specialists in the defamation of the American intelligence services. They had come to the Festival, Agee explained in a press conference, to teach the others how they could defeat CIA operations against their countries — machinations which in his warped vision “are aimed at all humanity”. From his squalid platform, Mr. Agee announced three enterprises which have already, so soon after their unveiling in Havana, inflicted fresh harm and hazard on his former agency. One was the imminent publication of his second book, “*Dirty Work: the CIA in Western Europe*”, written in collaboration with a left-wing journalist, Louis Wolf. Another was the launching of a new bi-monthly magazine, *Covert Action Information Bulletin*. It is intended to fill the void left by the shutdown of *CounterSpy* and, like its predecessor, its stock in trade are the names and activities of CIA people. “We do not believe”, Mr. Agee said, “that one can separate the dirty work of the CIA from the people who perform it”. The third enterprise was the founding of an international network of volunteer informers, calling themselves *Counter Watch*. Their assignment is to spy on CIA people wherever they may be and keep the editors advised of all the damaging “poop” they pick up.

The second book was already on the presses in New York before Agee traveled to Havana to ballyhoo it. It is a mastadon of its species, filling 1004 pages. A huge appendix lists the names of some 700 foreign service and military officers attached to American embassy in Western Europe who are identified, by no means accurately, as CIA undercover officers. The first half is padded out with an anthology of articles, mostly published earlier in radical journals in Europe, all defaming the Agency. There is even a piece which undertakes to teach how the cover of a CIA officer can be penetrated by careful analysis of embassy directories and military staff listings. The book is outrageously priced at \$24.95, but subscribers to the journal can have it for only \$10. The royalties are to support the general aim which Mr. Agee has restated in his journal. “Together”, he says “people of many nationalities and varying political beliefs can cooperate to weaken the CIA and its surrogate intelligence services, striking a blow at political oppression and economic injustice.” One way to ensure its defeat, he advises, is mount demonstrations against American Embassies and

peaceful demonstrations don't force their departure, then, he adds, “those whom the CIA has most oppressed will find other ways of fighting back” — a clear incitement to violence.

AGEES REAL ROLE

So there haunts our gates an expatriate whose obsession is to make the CIA fail. That Agency is not his only target. He is bent, as well, on undermining our national foreign intelligence communications system, the National Security Agency. His radical publications are exhorting their volunteer informers to pass on whatever they are able to find out about this highly sensitive organization — its people and their work. The NSA happens to be perhaps the top priority target of the KGB itself. The NSA's sole business is unrelated to those activities of the CIA which Agee professes to deplore. So in this matter his real allegiance may have revealed itself.

A few years ago, Agee's current line of mischief was foreshadowed by the publication in East Germany, under KGB auspices, of an anonymous work, “*Who's Who in the CIA*”, which also named American officers serving in foreign missions — some falsely, with the deliberate purpose of discrediting proper humanitarian or cultural activities. One man so identified, an AID official in Uruguay, one Daniel A. Mitrione, was assassinated by guerrillas who were led to believe that they were doing in a CIA spy.

It is unlikely, at this late stage, that Agee has anything left in the storehouse of his memory of value to his KGB controls. As one American commentator put it, “he's run out of gas”. But as a symbol and a conduit he continues to be valuable to our enemies. Because our government appears to have no remedy in law for the problem which an Agee presents, he escaped unscathed from his perfidious activities, he remains a walking symbol of the inability of the American Government to bring faithless servants to heel. An Agee on the loose makes other intelligence agencies mistrustful of the seriousness of American interest in protecting its security systems. An Agee stands on the international stage of subversion as an “agent of influence” — perhaps, even a recruiter for the KGB, with his bold appeal for volunteer informers inside the intelligence services, and his promise to use the royalties from his writings, however meager in fact, to tide would-be defectors over the costs of their passage.

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Can't he...
member of the Senate Intelligence Committee, has suggested that Agee be stripped of his citizenship. Senator Lloyd Bentson believes he should be jailed. The difficulties here are three: he still remains outside U.S. jurisdiction; his publisher was under no obligation, as he was, to safeguard national secrets; and the Department of Justice concluded long ago, that it could not bring Agee to trial under the Espionage Act without opening the CIA's treasury of secrets to his defense counsel, thereby furnishing him with fresh ammunition.

THE TASK OF THE NEW CONGRESS

A shrewd observer in the Congress tells us, "the year 1978 may go down in history as the year when the tide reversed itself. It is the year when the majority in Congress, from fearing that the CIA was a rogue elephant, came to fear that it was becoming a paper tiger; that it had been weakened to a point where it is no longer able to serve the country as it was meant to do, and the country has been put in danger."

True, the Russians helped to bring matters to this sorry pass. Through their agents and

servants here and abroad, they have helped to sow the seeds of unworthy mistrust of the intelligence agencies which bore their bitter harvest in the Congressional hearings and the flood of leaks. But the worst of the damage we inflicted on ourselves.

Now that the threat is finally being recognized, it falls to the new Congress to repair the damage that has been done. The CIA, with its sister intelligence agencies, is the only community equipped to advise the President, the National Security Council, the State and Defense Departments on the scope, the pace and direction of the threat - its political character and its military power.

The immediate need is to restore the good name and the legal sanctions of the intelligence services, to give them the means to protect their people, their methods, and their means. Only Congress can do that for them with the help of the President. Let the pending charter be rewritten toward this sensible end. Otherwise, Congress may find itself presiding over the funeral of the national intelligence establishment.



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