

Sanitized Copy Approved for Release 2011/03/25 : CIA-RDP88G01116R001402570017-5

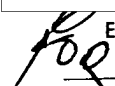
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**EXECUTIVE SECRETARIAT  
ROUTING SLIP**

TO:		ACTION	INFO	DATE	INITIAL
	1 DCI		X 5		
	2 DDCI		X 6		
	3 EXDIR		X 5		
	4 D/ICS				
	5 DDI		X 6		
	6 DDA		X 7		
	7 DDO		X 8		
	8 DDS&T				
	9 Chm/NIC				
	10 GC		X 9		
	11 IG				
	12 Compt				
	13 D/OLL		X 10		
	14 D/PAO		X 1		
	15 D/PERS				
	16 VC/NIC				
	17 C/LA/DO		X 11		
	18 D/Security		X 12		
	19 <b>ER</b>		X 2		
	20				
	21				
	22				

SUSPENSE \_\_\_\_\_ Date \_\_\_\_\_

Remarks

  
 Executive Secretary  
 26 SEP 86  
 Date

STAT

Executive Registry

86-4245x/1

# United States Senate

WASHINGTON, DC 20510

September 23, 1986

The Honorable William J. Casey  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Bill:

Anent your good letter of September 19, you have satisfied me completely. You responded forthrightly and without equivocation -- which is a lot more than can be said for a lot of folks in this town.

Many thanks. I think you'll be satisfied with the way things proceed hence.

Kindest personal regards.

Sincerely,



JESSE HELMS:pd



5-111-15



Washington, D.C. 20505

ER86-4245X

19 September 1986

The Honorable Jesse Helms  
United States Senate  
Washington, D.C. 20510

Dear Jesse:

I have your letter of 15 September 1986 in which you questioned whether the Agency engaged in illegal or improper surveillance of you during your trip to Chile last July and subsequently leaked information derived from that surveillance to the press. In a previous letter, you asked the Attorney General to investigate this matter.

Since you have raised a number of very serious issues, let me first set the record straight on a few key points. First, CIA did not in any way, shape or form conduct surveillance against you or any member of your delegation during your trip. Second, no one in this Agency leaked any information of any kind to the press about your trip. Third, CIA has undertaken no investigation, nor has it asked any other part of the Government to undertake any investigation, concerning you or any member of your staff in connection with this entire matter.

Jesse, I think that my deep and increasing concern about leaks of intelligence information is well documented. Nevertheless, it must be remembered that CIA does not have the authority to investigate unauthorized disclosures except insofar as determining whether or not an Agency employee may be involved. As I have indicated, we have absolutely no indication that this is the case with respect to the leaks you have cited in your correspondence. Of course, we will fully cooperate with any investigation undertaken by the FBI or other appropriate investigative body into any unauthorized disclosure of intelligence information.

I hope that this serves to allay your concerns on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Bill Casey".

William J. Casey  
Director of Central Intelligence

cc: Attorney General  
The Honorable Dave Durenberger



5-111-1R

**Distribution:**

**Original - Addressees**

- 1 - DCI
- 1 - DDCI
- 1 - ER
- 1 - DDC
- 1 - DDI
- 1 - D/OS
- 1 - C/LA
- 1 - General Counsel
- 1 - D/OPA
- 1 - OGC/ILD
- 1 - D/OCA
- 1 - EXO/OCA
- 1 - DDL/OCA
- 1 - OCA Leg/Subject File: Leaks

*1- DDA Reg (9/29/86)*

STAT

OCA/LEG:  (19 Sept 86)

STAT

**Page Denied**

**EXECUTIVE SECRETARIAT**  
**ROUTING SLIP**

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9	Chm/NIC				
10	GC		X 9		
11	IG				
12	Compt				
13	D/OLL	X 1			
14	D/PAO				
15	D/PERS				
16	VC/NIC				
17	D/OS		X 10		
18	C/S		X 11		
	<b>ER</b>		X 12		
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SUSPENSE 15 September 1950  
Date

Remarks To 13: Please have appropriate response prepared. (FYI: A copy of referenced 5 Aug letter to the AG is attached.)

Executive Secretary

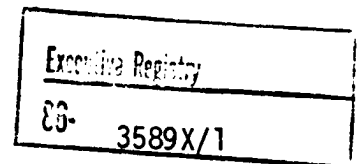
Date

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# United States Senate

WASHINGTON, DC 20510

September 15, 1986



The Honorable William Casey  
Director of Central Intelligence  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Mr. Casey:

On August 5, 1986, I sent a letter to the Attorney General requesting all intelligence reports related to the Helms delegation trip to Chile of early July. A copy of this letter was also sent to you. The Attorney General advises me that I should request these intelligence reports directly from you, which I hereby do.

Second, my August 5 letter also refers to Executive Orders forbidding surveillance of American citizens abroad by CIA, reminds the Attorney General of the constitutional privileges of a Senator, and complains about the leakage of information about intelligence on the Helms delegation trip to the press. I have carefully read the current Executive Order 12333 of December 4, 1981, regarding United States Intelligence Activities. Section 2.4 on Collection Techniques states:

"Agencies within the Intelligence Community shall use the least intrusive collection techniques feasible within the United States or directed against United States persons abroad. Agencies are not authorized to use such techniques as electronic surveillance, unconsented physical search, mail surveillance, physical surveillance, or monitoring devices unless they are in accordance with procedures established by the head of the agency concerned and approved by the Attorney General. Such procedures shall protect constitutional and other legal rights and limit use of such information to lawful governmental purposes." (Emphasis added.)

I believe that this language confirms my earlier assertion that CIA should not be bugging senators on their travels abroad or leaking information from such illegal bugging to the press. Further, I believe that this language gives me



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solid ground for requesting the FBI investigate the CIA, because leaking information from illegal bugging to the press is surely not a "lawful governmental purpose." Accordingly, I ask you to give me written assurance that the CIA will cooperate with the FBI in this investigation.

Finally, I renew my request that the "series check" procedure be invoked regarding any intelligence reports which may have resulted from this illegal bugging, and I request that any such reports be made available to me and my cleared staff immediately.

Sincerely,



Jesse Helms  
U.S. Senator

Copies to: Secretary of State  
Attorney General of U.S.  
Hon. David Durenberger  
Director, FBI  
President' Foreign Intelligence Advisory Board  
Intelligence Oversight Board  
Secretary of Treasury  
Senate Majority Leader, Hon. Bob Dole

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CHARLES MCC MATHIAS, JR., MARYLAND  
NANCY L KASSEBAUM, KANSAS  
RUDY BOESCHWITZ, MINNESOTA  
LARRY PRESSLER, SOUTH DAKOTA  
FRANK H MURKOWSKI, ALASKA  
PAUL S TRIBLE, JR, VIRGINIA  
DANIEL J EVANS, WASHINGTON

CLABORNE PELL, RHODE ISLAND  
JOSEPH R BIDEN, JR., DELAWARE  
PAUL S SARBANES, MARYLAND  
EDWARD ZORINSKY, NEBRASKA  
ALAN CRANSTON, CALIFORNIA  
CHRISTOPHER J DODD, CONNECTICUT  
THOMAS F EAGLETON, MISSOURI  
JOHN F BERRY, MASSACHUSETTS

Executive Order  
RG- 3589x

# United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510

JEFFREY T BERGNER, STAFF DIRECTOR  
GERYLD B CHRISTIANSON, MINORITY STAFF DIRECTOR

August 5, 1986

The Honorable Edwin Meese III  
Attorney General of the United States  
Department of Justice  
Constitution and 10th Street, N.W.  
Washington, D.C. 20530

Dear Mr. Attorney General:

A recent spate of press attacks on me and my staff about our trip to Chile, ostensibly based upon interviews with nameless State Department officials, CIA officials, and staff members of the Senate Intelligence Committee, alleges that I or my staff leaked classified information to the Chilean Government. This whole episode is a frivolous and false indictment of me and my staff.

Yet some of the information appearing in the press claims to have reference to conversations we had in Chile, and subsequently, about matters which are in no way classified. My concern is not that I would object to sharing the substance of these conversations, because nothing improper or unlawful took place; rather, my concern lies with the possibility that the CIA and other U.S. intelligence organizations may be unlawfully invading the privacy of Senators, including me. Moreover, it appears that some employees of the U.S. government, with access to this unlawful information, are unlawfully leaking it selectively to the press. If this has occurred, it must be stopped.

I have absolutely nothing to hide, but I will be deeply disturbed if it is discovered that the CIA or other U.S. intelligence agencies have violated the law.

The point is this: I believe there are both Executive Orders and legal restrictions forbidding surveillance of American citizens abroad by CIA and other U.S. intelligence organizations. It is my further understanding that minimization procedures are followed with respect to the reporting of names of American citizens who are accidentally encountered in surveillance situations, and that such names are not reported when they are collected in intelligence actions unless they are under surveillance for being foreign agents.

DCI  
EXEC  
REG

S-111-1R

Moreover, I am advised that a procedure known as "series check" has been used in the past to protect senior U.S. Government officials from potential misrepresentation of their duties if their names or actions are reported in U.S. intelligence, by giving them the right to prior review and to determine the dissemination of this intelligence.

Finally, I believe that the separation of powers doctrine in the U.S. Constitution, as well as the speech or debate clause of the U.S. Constitution, provide certain immunities and privileges for U.S. Senators and their staffs, including when they are traveling abroad on fact-finding missions.


Accordingly, I request an FBI investigation of the CIA and the NSA to determine whether the Helms Delegation was under U.S. electronic or physical surveillance at anytime during its trip to Chile in July, 1986. Moreover this request should include information derived from foreign intelligence liaison services.

Second, it is important that this investigation determine who leaked such ostensibly classified information to the New York Times--an action which resulted in an article appearing on Sunday August 4, 1986, and which contained false information regarding an investigation of me and my staff. Subsequently, similar stories appeared in other media, also based, allegedly, on sources in the U.S. government with access to classified information.

Third, I request that you ask the CIA and the State Department to provide to me and my cleared staff copies of any intelligence reports and all diplomatic reports related to my delegation. I also request that the "series check" procedure be invoked regarding these materials so that my Senatorial rights and privileges, and those of other Senators in the future, are protected. I believe that I have a right to know what allegations are being investigated.

Your prompt attention to this matter will be greatly appreciated.

Sincerely,

  
Jesse Helms  
U.S. Senator

cc: Honorable David Durenberger  
Honorable William Casey  
Honorable George Shultz

**EXECUTIVE SECRETARIAT**  
ROUTING SLIP

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TO:

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10	GC				
11	IG				
12	Compt				
13	D/OLL		X		
14	D/PAO				
15	D/PERS				
16	VC/NIC				
17	C/UDAC		X		
18	D/CCISCMS		X		
19	D/Security/DA		X		
20	GC		X		
21	C/LA/DO		X		
22	<i>DEP</i>				
		SUSPENSE	_____ Date		

Remarks

*(Signature)*

Executive Secretary

8 Aug 86

Date

STAT

RICHARD G. LUGAR, INDIANA, CHAIRMAN

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Executive Registry  
86- 3589x

# United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510

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GERYLD B. CHRISTIANSON, MINORITY STAFF DIRECTOR

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REG

S-111-1R

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U.S. Senator

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