

ROUTING AND TRANSMITTAL SLIP

Date

19 SEPT 1986

TO: (Name, office symbol, room number, building, Agency/Post)

1. EXA/DDA

Initials
9/19

Date
18 SEP 1986

2. ADDA

Initials
18

Date
18 SEP 1986

3. DDA

Initials
WJ

Date
18 SEP 1986

4. DDA REGISTRY

5. MS/DA

Initials
J

| Action | File | Note and Return |
|--------------|----------------------|------------------|
| Approval | For Clearance | Per Conversation |
| As Requested | For Correction | Prepare Reply |
| Circulate | For Your Information | See Me |
| Comment | Investigate | Signature |
| Coordination | Justify | |

REMARKS

D/OCA HAS ACTION WITH AN INFO COPY TO D/OS.

A hot topic. Senator Helms suggests his delegation to Chile in July 1984 was improperly surveilled by the CIA, and that the information collected was leaked to the press. He's asking for an FBI investigation. Jim

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

Phone No.

5041-102

* U.S.G.P.O.: 1983-421-529/320

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

**EXECUTIVE SECRETARIAT
ROUTING SLIP**

| TO: | | ACTION | INFO | DATE | INITIAL |
|-----|---------|----------|-------------------|------|---------|
| 1 | DCI | | X | | |
| 2 | DDCI | | X | | |
| 3 | EXDIR | | X | | |
| 4 | D/ICS | | | | |
| 5 | DDI | | X | | |
| 6 | DDA | | X | | |
| 7 | DDO | | X | | |
| 8 | DDS&T | | | | |
| 9 | Chm/NIC | | | | |
| 10 | GC | | X | | |
| 11 | IG | | | | |
| 12 | Compt | | | | |
| 13 | D/OLL | X | | | |
| 14 | D/PAO | | | | |
| 15 | D/PERS | | | | |
| 16 | VC/NIC | | | | |
| 17 | D/OS | | X | | |
| 18 | C/S | | X | | |
| 19 | | | | | |
| 20 | | | | | |
| 21 | | | | | |
| 22 | | | | | |
| | | SUSPENSE | 25 September 1986 | | |
| | | | Date | | |

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

[Signature Box]

Executive Secretary

STAT

_____ Date

JESSE HELMS
NORTH CAROLINA

United States Senate

WASHINGTON, DC 20510

September 15, 1986

| |
|----------------|
| Exec. In Reply |
| EO- 3589X/1 |

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.)

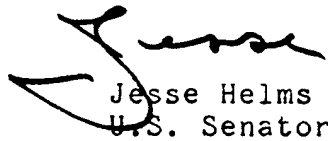
I believe that this language confirms my earlier assertion that CIA should not be bugging senators on their travels abroad or leaking information from such illegal bugging to the press. Further, I believe that this language gives me

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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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United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510

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

Executive Record
86- 3589x

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