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Covert Operations Abroad: An Overview

By David Wise

CONTENTS		<u>Page</u>
I.	The Legal Basis	3
II.	Mechanisms of Control	17
III.	A History of Covert Operations	35
IV.	Conclusions and Recommendations	44

## COVERT OPERATIONS ABROAD: AN OVERVIEW

By David Wise

Citizens who telephone the Central Intelligence Agency at Langley, Virginia, asking for a description of the agency's activities receive a handsome blue-covered booklet bearing the CIA seal-- a baleful eagle atop a shield emblazoned with a sixteen point star.

The booklet, however, is less than a sixteenth of an inch thick and contains only eleven pages. The citizen reading it is told that the CIA produces estimates and "intelligence reports" to assure that the President receives information on foreign policy and national defense that is "complete, accurate, and timely." The booklet also gives the CIA's zip code, which is Washington, D.C. 20505. Nowhere in the booklet is it mentioned that the CIA conducts secret political operations around the globe, ranging from payments to foreign political figures and attempts to influence elections abroad to overthrowing governments-- in which the target national leaders are sometimes killed-- and full-scale paramilitary invasions. Nowhere does the booklet mention that the CIA operates its own air force, and, at times, its own army and navy.

It is these covert political operations that have got the CIA in trouble, focused public attention upon its activities, and led to demands for reform. It is these

activities, as well, that have raised fundamental questions about the role of a secret intelligence agency in a democracy, and, specifically, whether the requirements of American national security justify clandestine intervention in the internal affairs of other countries.

More recently, the Watergate scandal has dramatically demonstrated the dangers posed by secret intelligence agencies when their personnel, resources, and methods are employed in the American political process.

For many years the Central Intelligence Agency has been operating domestically, in ways never contemplated by the Congress. That fact may not have been understood by the public at large until it was revealed that the CIA had provided E. Howard Hunt, Jr., its former clandestine operative, with equipment used in the break-in of the office of Daniel Ellsberg's psychiatrist, and that the CIA had prepared two psychiatric profiles of Ellsberg. In addition, the burglars who broke into Democratic National Headquarters at Watergate had CIA backgrounds, and one, Eugenio Rolando Martinez was at the time of the break-in still on the CIA payroll at a retainer of \$100 a month. Thus, Watergate, to an extent, represented the application of covert intelligence techniques to American politics: President Nixon created his own secret police force-- the Plumbers and their apprentices-- to conduct covert operations against domestic "enemies," real and imagined. He resigned; the problem remains.

This paper is in four parts. The first section deals with the legal and historical basis of covert operations, the second with mechanisms for control of such operations and the third with the history of CIA covert operations; the fourth contains conclusions and recommendations.

## I. THE LEGAL BASIS

Some definitions are necessary before discussing the legal basis of covert operations. Intelligence is information, gathered either secretly or openly. Clearly, information about military, strategic, political, and economic conditions in other countries, and about the background and intentions of the leaders of those countries, may be of great value to the President and other leaders in making decisions and formulating policy. Intelligence is collected from electronic ears stationed around the globe, from reconnaissance satellites overhead, from newspapers, journals, and other open sources, and by traditional espionage. Some of the means of acquisition of intelligence are highly sophisticated and themselves secret. From CIA stations abroad, by cable and courier, tons of information flows into CIA headquarters at Langley every day. Once in house, it is sifted and analyzed, or it would be of little use to policymakers. In addition to analyzing, summarizing, and evaluating the information collected, the CIA also has an estimating function. On the basis of what it knows, the CIA attempts to predict to the President the likely course of future events in other countries. The intelligence

process, then, consists essentially of collecting, evaluating, and estimating. It is basically passive, in that it is a process designed to reflect events and conditions, and to draw conclusions and logical deductions on the basis of the information collected.

Covert political action, on the other hand, seeks to manipulate events, to cause them to happen. The clandestine operators of the CIA are engaged not merely in reporting events, but in attempting to shape them.

The organization of the Central Intelligence Agency reflects this basic split. Beneath the Director of Central Intelligence (DCI) and the Deputy Director of Central Intelligence are two principal divisions: the Directorate of Intelligence, headed by a Deputy Director (DDI), and a Directorate of Operations, headed by a Deputy Director (DDO).\*

The Directorate of Intelligence engages in overt collection, analysis, and estimating. The Directorate of Operations, or Clandestine Services, engages in covert collection and secret political operations. This is the

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\*The Directorate of Operations was formerly known as the Directorate of Plans and its Chief as the DDP. The name was changed in 1973. William E. Colby, the present DCI, was the first official to hold the new title of DDO; he held that post prior to his appointment by President Nixon as Director of Central Intelligence on May 10, 1973.

so-called "dirty tricks" branch of CIA.

The Central Intelligence Agency was in a very real sense a result of the Japanese attack on Pearl Harbor. Until World War II, the United States had no centralized intelligence machinery. During the war, on June 13, 1942, President Roosevelt established the Office of Strategic Services (OSS) under General William J. Donovan. The OSS gathered intelligence, but it also engaged in political operations and paramilitary operations, dropping agents by parachute behind enemy lines in Europe and Asia. Thus, the pattern was established under OSS of an intelligence agency that both collected information and engaged in covert operations. Many well-known Americans worked for OSS, including Julia Child, Allen W. Dulles, Arthur Goldberg, and Arthur M. Schlesinger, Jr. In the autumn of 1944, at Roosevelt's request, Donovan submitted a secret memo to the White House urging the creation of a permanent U.S. intelligence agency.

The plan was put aside; and on September 20, 1945, President Truman issued an order disbanding the OSS. But the wartime experience had created momentum for a centralized intelligence agency. In January, 1946, Truman established a National Intelligence Authority under a Central Intelligence Group, the forerunner of the CIA. Then Congress created the CIA, in the National Security Act of 1947. Officially, the agency came into being on September 18th of that year. The same legislation established the National Security Council.

The duties of the CIA are set forth in the Act in Section 102 (d) which states:

For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council--

(1) to advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

(2) to make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities: Provided, That the Agency shall have no police, subpoena, law-enforcement powers, or internal-security functions: Provided further, That the departments and

other agencies of the Government shall continue to collect, evaluate, correlate and disseminate departmental intelligence: And provided further, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;

(4) to perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

(5) 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.

There is no specific mention in the law of overthrowing governments or other cloak and dagger operations, but the CIA has carried out these activities under the "other functions" clause contained in subparagraph five. Richard M. Helms, while Director of Central Intelligence, confirmed this interpretation in a speech on April 14, 1971. Referring to the "other functions" clause he said:

"This latter language was designed to enable us to

conduct such foreign activities as the national government may find it convenient to assign to a 'secret service'. These activities have always been secondary to the production of intelligence, and under direct control by the Executive Branch. Obviously, I cannot go into any detail with you on such matters, and I do not intend to."\*

William E. Colby, one of Mr. Helms' successors as Director of CIA, also confirmed that the "other functions" clause is the justification for covert political operations. Appearing before the Senate Armed Services Committee at a hearing on his nomination, Colby told Senator Stuart Symington:

"Mr. Chairman, the National Security Act of 1947 says that the Agency will do various things, and then in the last subparagraph it says that the Agency will conduct, perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

"Now, that particular provision of law is the authority under which a lot of the Agency's activities are conducted."\*\*

It is not apparent from the legislative history of the 1947

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\*Address to the American Society of Newspaper Editors, April 14, 1971; text, page 5.

\*\*"Nomination of William E. Colby", Hearing before the Committee on Armed Services, United States Senate, 93rd Congress, 1st Session, July 2, 1973, pp. 13-14.

act establishing the CIA that Congress expected that the CIA would engage in covert political operations. Congress did express concern that the CIA not engage in domestic operations, and subsequent experience has proved these fears justified. James Forrestal, while Secretary of the Navy, testified in April of 1947 that the CIA would be "limited definitely to purposes outside of this country."\* Congressman Henderson Lanham, a Georgia Democrat, asked Dr. Vannevar Bush, a witness before a House Committee, whether there was not a danger of the CIA "becoming a Gestapo or anything of that sort?"\*\* The report of the House Committee that handled the CIA legislation states: "Provision prohibiting the agency from having the power of subpena and from exercising internal police powers, provisions not included in the original bill nor in S.758, were added by your Committee".\*\*\* This language, an unsuccessful

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\*Hearing, April 25, 1947, House Committee on Expenditures in the Executive Departments, cited in David Wise and Thomas B. Ross, The Espionage Establishment (New York: Random House, 1967), pp. 162-63.

\*\*Hearing of the House Committee on Expenditures in the Executive Departments, June 24, 1947, in Wise and Ross, op. cit., p. 164.

\*\*\*"National Security Act of 1947," Report of the Committee on Expenditures in the Executive Departments to accompany H.R. 4214, p. 4.

attempt to keep the CIA out of the domestic arena, was apparently added at the behest of J. Edgar Hoover, Director of the F.B.I., who did not want any competition with the bureau in the domestic intelligence field.

But there is no indication that Congress expected the CIA to engage in covert activities, intervene in the internal affairs of other nations, overthrow governments, and launch paramilitary operations. The House report on the legislation simply states that the CIA was created in order that the NSC "in its deliberations and advice to the President, may have available adequate information." The CIA, the report added, "will furnish such information."\* Certainly, the Executive Branch officials testifying about the proposed legislation did not talk about overthrowing governments. For example, Lt. Gen. Hoyt S. Vandenberg, Director of Central Intelligence,\*\* stressed the collection and evaluation functions of CIA when he testified to the Senate Armed Services Committee about the proposed legislation to establish CIA. "The oceans have shrunk..." Vandenberg testified, "the interests, intentions, and capabilities of the various nations...must be fully known to our national policymakers. We must have this intelligence if we are to be forewarned against possible acts of aggression, and if we are

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\*Ibid., p. 3.

\*\*Vandenberg held this title as head of the Central Intelligence Group even though the CIA itself had not yet been created.

to be armed against disaster in an era of atomic warfare." Wartime intelligence sources are "drastically reduced as our forces return home," Vandenberg added. "Such information, which can be collected during actual combat, is largely denied us in peace time. In times of peace we must rely on the painstaking study of...available overt material." The CIA, Vandenberg said, would engage in "research and analysis" and avoid "wasteful duplication."\*

One small hint of what was to come was contained in a memo submitted to Congress by Dulles in 1947. He said the CIA should have "exclusive jurisdiction to carry out secret intelligence operations."\*\* And, while some individual Members of Congress may have realized that covert political operations would continue in peacetime, certainly the majority of the members of Congress reading the House report on the legislation, or the the Senate hearings, would not have reached this conclusion. Almost from the start however, the CIA was in fact involved in covert political operations, which the "black," or clandestine, operators of the CIA prefer to call "special operations."

In 1948, the Truman administration was alarmed by the Communist takeover in Czechoslovakia and nervous over the

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\*National Defense Establishment, Hearings before the Committee on Armed Services, United States Senate, 80th Congress, 1st Session on S.758, Part 3, pp. 491-500.

\*\*Ibid., pp. 525-28.

possibility of a Communist victory in the Italian elections. Secretary of Defense James Forrestal wished to move to counter Communist strength in Italy. It was felt this would require a massive infusion of money. But the wealthy industrialists around Milan feared reprisals if the Communists won and were reluctant to contribute funds. So members of the Eastern establishment literally passed the hat at the Brook Club in New York.

There was no CIA mechanism to deal with the problem-- the Plans Directorate was not created until January 4, 1951. As a result, in the summer of 1948, the NSC issued a secret document, NSC 10/2 (pronounced "ten slash two"), authorizing special operations, providing they were secret and small enough to be plausibly deniable by the government. The same document created an operating agency under the euphemistic title of Office of Policy Coordination. Former OSS agent Frank G. Wisner was brought in to direct this office, which operated within the CIA but under the joint authority as well of the Department of State and the Department of Defense. In 1950 General Walter Bedell Smith, then director of the CIA, managed to eliminate control by these outside agencies and placed Wisner's group entirely under CIA. Meanwhile, a separate Office of Special Operations handled covert intelligence-gathering for CIA. OSO and OPC were merged in January 1951 (while Smith was still Director of CIA) into the new Directorate of Plans. The "other functions" clause became the eye of the needle through which the CIA has conducted special operations around the globe.

In 1949, the Central Intelligence Agency Act was passed exempting CIA from all statutes requiring the disclosure of the "functions, names, official titles, salaries, or numbers of personnel employed by the Agency." It gave the Director of Central Intelligence unprecedented power to spend money "without regard to the provisions of law and regulations relating to the expenditure of government funds". The 1949 Act permitted "such expenditures to be accounted for solely on the certificate of the director."

Once these provisions were law, the way was open for CIA to engage in special operations on a large scale. In a discussion with graduate students at the Johns Hopkins School for Advanced International Studies, on February 24, 1966, Robert Amory, former Deputy Director for Intelligence of the CIA, declared: "We went in through the NSC-CIA act because that was the only way we could get unvouchered funds. OPC then went into Greece in 1949-50."

A series of highly classified National Security Council Intelligence Directives have been issued since 1948, permitting the CIA to carry out special operations. The Directives are known as NSCID s; within the intelligence community they are called "Nonskids". In addition, the Director of Central Intelligence issues DCIDs. Under the authority of the NSCIDs these apparently can be issued by the Director of Central Intelligence without further clearance by the NSC. These directives and other Presidential and CIA documents together

form what is sometimes referred to as the "secret charter" of the CIA.

Thus, a secret agency engages in secret operations that carry the risk of war, under secret directives unavailable to the press, the public, or most members of the Congress. Indeed, until the Watergate revelations of 1973, Congress was not curious about this "secret charter." In July of 1973, however, Senator Stuart Symington did ask some questions at hearings of the Senate Armed Services Committee on the nomination of William Colby to be Director of CIA. Symington said: "We understand some...directives to the intelligence community are included in classified documents called National Security Council Intelligence Directives, NSCIDs. Would you describe in general the subject matter of these Directives; and, if you believe they should remain classified, would you tell the committee why you think so?"

Colby replied: "These Directives are the application of the other functions provision of the law that I cited, Mr. Chairman...They include some general directives which describe the functions of the different members of the intelligence community and there is certain sensitive information in those. Those are National Security Council documents, Mr. Chairman, and I do not have the authority for the declassification since they originate with the National Security Council."

Senator William Proxmire had slightly better luck with Colby. In a series of written questions submitted to the CIA

director in 1973, Proxmire asked:

Question. "What reason does the National Security Council give for not making public the secret 'Charter' of the CIA, the NSCIDs?"

Answer. I respectfully suggest that this matter be raised with the National Security Council.

Next, Proxmire wanted to know whether National Security Action Memorandum #57 set out guidelines for restraining covert operations to a small size "and only then with adequate deniability." Colby would not discuss NSAM 57. What other NSC documents describing CIA operations would be available, Proxmire asked.

Colby replied: "Operations of the CIA and other intelligence components are conducted under the authority of the NSCIDs and a variety of other Executive Orders and directives. I have been authorized to brief the Committee on the basic ones, the NSCIDs, on a classified basis."

In 1963, former President Truman wrote:

"I never had <sup>any thought...</sup> when I set up the CIA that it would be injected into peacetime cloak and dagger operations. Some of the complications and embarrassment that I think we have experienced are in part attributable to the fact that this quiet intelligence arm of the President has been so removed from its intended role. I would like to see the CIA be restored to its original assignment as the intelligence arm of the President and whatever else it can properly perform in that special

field and that its operational duties be terminated or properly used elsewhere.

"We have grown up as a nation respected for our free institutions and for our ability to maintain a free and open society. There is something about the way the CIA has been functioning that is casting a shadow over our historic position, and I feel that we need to correct it."\*

Truman's quote is puzzling in the light of the NSCIDs issued during his Presidency permitting covert operations. It is possible, however, that Truman was appalled by the scope of these operations. By 1963, when Truman wrote these words, the CIA had received adverse publicity from the shooting down of the U-2 spy plane over the Soviet Union in 1960 and the ill-fated invasion of Cuba at Bay of Pigs in 1961.

Symington questioned Richard Helms about Truman's statement during hearings on Helms' nomination to be ambassador to Iran in 1973.

This exchange occurred:

Mr. HELMS. And as far as President Truman's comment is concerned I recall vividly when that was made in 1963 and we were all stunned, because the document signed off by the National Security Council which put the Agency in some of the matters

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\*Article by Harry S. Truman, syndicated by North American Newspaper Alliance in The Washington Post, December 22, 1963.

was done during President Truman's administration.

Senator SYMINGTON. It is incredible to me, has been for many years, that this committee does not know of your activities in foreign countries with which we are not at war. It not only doesn't make any sense, but, it has resulted in heavy loss of both money and respect.

## II. MECHANISMS OF CONTROL

Before discussing the machinery for the control of covert operations, the nature of those operations should be more precisely defined. Perhaps the best definition was provided by Richard M. Bissell, the CIA's Deputy Director for Plans between 1958 and February, 1962, in which capacity he ran covert operations for the agency. Bissell was one of the fathers of the U-2 reconnaissance aircraft and the principal planner of the Bay of Pigs invasion. The minutes of a private discussion on intelligence sponsored by the Council on Foreign Relations in 1968 summarizes Bissell's view:

"Covert operations should, for some purposes, be divided into two classifications: (1) intelligence collection, primarily espionage, or the obtaining of intelligence by covert means; and (2) covert action, attempting to influence the internal affairs of other nations-- sometimes called

'intervention'-- by covert means."\*

It is with Bissell's second category, covert action-- attempting to influence the internal affairs of other nations-- that this paper is primarily concerned.

In the Council on Foreign Relations meeting, Bissell went on to list the dimensions of covert action. He said:

"The scope of covert action could include: (1) political advice or counsel; (2) subsidies to an individual; (3) financial support and 'technical assistance' to political parties; (4) support of private organizations, including labor unions, business firms, cooperatives, etc.; (5) covert propaganda; (6) 'private' training of individuals and exchange of persons; (7) economic operations; and (8) paramilitary for political action operations designed to overthrow or to support a regime (like the Bay of Pigs and the programs in Laos). These operations can be classified in various ways: by the degree and type of secrecy required by their legality, and, perhaps, by their benign or hostile character."\*\*

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\*From the third meeting of the Discussion Group on Intelligence and Foreign Policy, Council on Foreign Relations, January 8, 1968, quoted in "The CIA's Global Strategy: Intelligence and Foreign Policy" (Cambridge, Mass: The Africa Research Group, 1971), p. 8. The quotations are from the minutes of the meeting, which paraphrased and summarized the remarks of the participants.

\*\*Ibid., p. 13.

Bissell's categories pretty well cover the waterfront, although of course under each heading, one could list many variations. To take one example, covert propaganda could include clandestine radio stations, either in or outside the target countries; disinformation, that is, deliberately false, or at least partly false material circulated within a target country but designed to appear authentic-- a forged official document allegedly from the files of a foreign ministry but actually prepared at CIA headquarters in Virginia, for example. The distinction contained in Bissell's point eight is important. Special operations may be designed either to place pressure upon, or overthrow a government, or to maintain it in power. In The Invisible Government, published in 1964, the author of this paper and Thomas B. Ross disclosed for the first time the existence of the "Special Group" the inter-agency government committee customarily cited by intelligence officials as the principal mechanism for the control of covert operations.\* It is significant to note that for the first several years of the CIA's existence there was no such formal body; not until late in the first Eisenhower administration was the Special Group established. Before that, covert operations were discussed at the "OCB luncheon group." The participants were members of the now defunct Operations Coordinating Board, who were drawn from

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\*David Wise and Thomas B. Ross, The Invisible Government (New York: Random House, 1964), pp. 5, 6, 260-62, 293, 351.

various departments of the government dealing with foreign affairs. During this period, apparently, intervention in the internal affairs of other countries was a subject for casual discussion by an informal group over lunch.

The Special Group was also known during the Eisenhower years as the "54/12 Group" and has been periodically renamed; during the Johnson years it was known as the 303 Committee-- after a room number in the Executive Office Building-- and during the Nixon administration, it acquired the name "Forty Committee". The Forty Committee is reportedly a designation taken from the serial number of the NSC document defining its membership and responsibilities. It was to this committee (under its earlier name) to which Allen Dulles was referring when he wrote in a now famous statement:

"The facts are that the CIA has never carried out any action of a political nature, given any support of any nature to any persons, potentates or movements, political or otherwise, without appropriate approval at high political level in our government outside the CIA."\*

In 1974 the members of the Forty Committee were the President's assistant for national security, the Deputy Secretary of Defense, the Undersecretary of State for Political Affairs, the Director of the Central Intelligence Agency, and the Chairman of

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\*Allen W. Dulles, The Craft of Intelligence (New York: Harper & Row Publishers, Inc., 1963), p. 189.

the Joint Chiefs of Staff.

Since we are told that we must rely on the wisdom and judgment of these high officials, and that every covert operation undertaken by CIA anywhere around the globe is approved at this high level, it is not entirely comforting to note that during the period that John N. Mitchell served as Attorney General he was added to the ranks of the Forty Committee. As a member of the committee, Mitchell listened to CIA plans for cloak and dagger operations designed to influence the political affairs of other nations. Possibly he became so accustomed to this atmosphere that he was willing to listen to G. Gordon Liddy's plans for domestic political espionage. For it was while Mitchell was Attorney General and a member of the Forty Committee that he permitted discussions in his office of bugging the opposition political party, of financing floating bordellos to suborn Democratic politicians, and of a plan to kidnap domestic dissidents and spirit them to Mexico in order to avoid any problems during the Republican National Convention.

It is perhaps tiresome to point out that we are a government of laws not men, but in citing the Forty Committee as proof of control over covert operations, we are really relying on a group of men who operate entirely in secret and can, in the final analysis, approve almost anything. Mitchell's presence on the Forty Committee is hardly reassuring in this respect. During a hearing of the Senate Foreign Relations Committee,

Hubert Humphrey expressed some alarm about Mitchell's membership on the Forty Committee and asked Richard Helms about it. Helms confirmed that Mitchell had been a member of the committee while Attorney General, "but I know that after Mr. Mitchell left office, the succeeding Attorney General never attended any meetings."

Celebrations over that fact would be premature, as the dialogue that followed might suggest:

Senator HUMPHREY. Was Mr. Ehrlichman or Mr. Haldeman a member of the Forty committee or did they sit with the committee?

Mr. HELMS. No, sir, they were not members of the committee but that is not to say that they never sat. I believe in one crisis meeting, one of them came down one day...but they were not regular members, and I do not think that they were actually-- well, they certainly were not participants.\*

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\*Now truly alarmed, Humphrey pressed: "How many times did Mr. Ehrlichman and Mr. Haldeman come, to the best of your knowledge?"

Mr. HELMS. Now, I am rethinking this and this may have been a Washington Special Action Group Committee meeting, rather than a 40 Committee meeting; I regret my misstatement, but it tended

(fn continued)

to be the same membership for both Committees.

See "Nomination of Richard Helms to be Ambassador to Iran and CIA International and Domestic Activities", Hearings before the Committee on Foreign Relations, United States Senate, 93rd Congress, 1st Session, May 21, 1973, pp. 75-76.

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No more mysterious group exists within the government than the Forty Committee. Its operations are so secret that in an appearance before the Senate Armed Services Committee, CIA Director Colby was even reluctant to identify the chairman. The following exchange took place during a hearing on Colby's nomination:

Senator SYMINGTON. Very well. What is the name of the latest committee of this character?

Mr. COLBY. Forty Committee.

Senator SYMINGTON. Who is the chairman?

Mr. COLBY. Well again, I would prefer to go into executive session on the description of the Forty Committee, Mr. Chairman.

Senator SYMINGTON. [Incredulous] As to who is the chairman, you would prefer an executive session?

Mr. COLBY. The chairman, all right, Mr. Chairman, Dr. Kissinger is the chairman as

the Assistant to the President for national security affairs.\*

Because of the cocoon of secrecy enveloping the operations of the Forty Committee, it is very difficult to assess the extent to which the Committee exercises effective control over special operations. For example, Executive Branch officials consistently refused to explain the actions of the Forty Committee to a Senate subcommittee investigating the role of CIA and the International Telephone & Telegraph Company in Chile during the period 1970-71. The Subcommittee on Multinational Corporations, headed by Senator Frank Church, Democrat, of Idaho, conducted the 1972 investigation of charges that ITT and CIA were involved in a plot to prevent the 1970 election of leftist President Salvador Allende of Chile. The record of this tangled story of CIA intervention in Chile is replete with contradictions. In 1973, Mr. Helms was questioned about the CIA role by Senator Symington. This exchange took place:

Senator SYMINGTON. Did you try in the Central Intelligence Agency to overthrow the Government of Chile?

Mr. HELMS. No, sir.

Senator SYMINGTON. Did you have any

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\*"Nomination of William E. Colby," Hearing before the Committee on Armed Services, United States Senate, 93rd Congress, 1st Session, July 2, 1973, p. 14.

money passed to the opponents of Allende?

Mr. HELMS. No, sir.\*

However, John A. McCone, former Director of the CIA and a Director of ITT, testified to the Church subcommittee that Helms had told him that, while the Forty Committee had decided against any major action designed to prevent Allende's election, some "minimal effort" would be mounted which "could be managed within the flexibility of their own CIA budget," without seeking additional appropriated funds.\*\*

The ITT-CIA story is a complex one, but it is clear from the record of the Senate subcommittee that the intelligence agency's clandestine directorate was in constant touch with ITT, which had substantial investments in Chile, about ways to block Allende from becoming President. McCone suggested to Helms that CIA originate discussions with ITT, and Helms had William V. Broe, Chief of the Western Hemisphere Division of the Clandestine Services, contact Harold S. Geneen, the Chairman of ITT. Later, McCone testified, Geneen told McCone "that he was prepared to put up as much as \$1 million in support of any plan" to oppose Allende. McCone testified that

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\*"Nomination of Richard Helms," op. cit., p. 47.  
and

\*\*"The International Telephone /Telegraph Company in Chile, 1970-71," Report to the Committee on Foreign Relations, United States Senate, by the Subcommittee on Multinational Corporations, June 21, 1973, p. 3.

Helms had informed him that the Forty Committee had discussed the situation in Chile in June of 1970 and decided that the CIA would do nothing of consequence to intervene in the September 4 election. On that date, Allende received the most votes, but no candidate had a majority; as a result, the election was thrown into the Chilean congress, which was to decide the outcome on October 24, 1970.

During this critical six-week period, Washington apparently became much more receptive to plans to block Allende's election in the congress. Charles Meyer, Assistant Secretary of State for Inter-American Affairs, testified that soon after the September 4th election, the Forty Committee met again to discuss U.S. policy toward Chile. Meyer declined to tell the Church subcommittee what took place at this meeting of the Forty Committee or what instructions were given to the U.S. ambassador to Chile. It is known, however, that on September 29, at the direction of Helms, Broe met Edward Gerrity, a top ITT executive, in New York and proposed a plan to accelerate economic chaos in Chile in order to weaken Allende's position. As the Senate subcommittee report states: "Mr. Meyer was unwilling to inform the subcommittee of the substance of the Forty Committee meeting. The subcommittee is, accordingly, unable to say whether Mr. Helms' instruction to Mr. Broe to contact Mr. Gerrity and make proposals to Mr. Gerrity for creating economic dislocation in Chile were a direct outcome of the Forty Committee meeting which took place shortly after

Allende won a plurality in the September 4th election."

While the role of the Forty Committee in the Chilean affair remains obscure, it is clear that the committee could not possibly have exercised control over everything that occurred. For example, the initial discussion between Broe and Geneen was not the result of any instruction by the Forty Committee but of the direct approach by McCone to Helms. Patently, the "old-boy" network was involved here. A former director of the CIA, the man who had appointed Helms as the agency's top covert operator, simply telephoned his old colleague. Since McCone was also Director of ITT, the interests of CIA and the multinational corporation neatly dovetailed.

If the Forty Committee did approve intensified contact between CIA and ITT just prior to the runoff election in the Chilean congress, then the Forty Committee was merely seizing upon a channel of communication that it never opened in the first place. One may ask whether the Forty Committee, in this instance, was in the position of the tail wagging the dog. In any event, the administration was unwilling to describe the role of the Forty Committee to a duly constituted subcommittee of the Senate of the United States. Thus, we are asked to take on faith the assurance that secret operations conducted under secret directives are adequately controlled by a secret committee that makes its decisions in secret. Moreover, in the manner of the fox placed in charge of the chicken coop, the Director of Central Intelligence is a member of the Forty

Committee. Although it is difficult to arrive at final conclusions about a body that operates in complete secrecy, it seems most unlikely that a committee of five men, one of whom is the head of the CIA, and whose other members are busy men with important responsibilities in other agencies of the government, can exercise effective control over special operations.

Covert operations are a tempting shortcut to the achievement of policy goals. The covert operators can naturally be expected to make the best possible case to the Forty Committee. One official familiar with the operations of the committee has been quoted as saying: "They were like a bunch of schoolboys. They would listen and their eyes would bug out. I always used to say that I could get \$5 million out of the Forty Committee for a covert operation faster than I could get money for a typewriter out of the ordinary bureaucracy."\*

Senator Proxmire, who has studied the intelligence community, has stated: "In practice, it appears that the 40 Committee mainly approves activities coordinated at lower levels. If a promising operation can be coordinated at a working level where the concept originates, it often rises through the intelligence community with little critical

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\*Marilyn Berger, "'Dirty Tricks' Have Had a Long History," The Washington Post, May 26, 1973, pp. 1, 9.

challenge until it arrives at the 40 Committee. There, because it has been reviewed by the 'experts', it is frequently approved."\*

"As compared to alternatives, the necessary approval for covert operations is easier to obtain," Morton H. Halperin and Jeremy J. Stone have suggested. "The President himself can often usually authorize them without having to go to Congress for funds or to make a public justification. But they also seem cheap and easy because they can usually be disavowed, if necessary."\*\*

Since the President is not a member of the Forty Committee, its existence permits the claim that covert operations are controlled at a high level in government. On the other hand, the existence of the committee permits the President to disclaim personal knowledge of a covert operation if it should fail and prove embarrassing.

Former Secretary of State Dean Rusk has been quoted as saying: "Dirty tricks form about 5 per cent of the CIA's work-- and we have full control over dirty tricks."\*\*\* But the sheer

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\*The Congressional Record, Monday, June 4, 1973, p. S10220.

\*\*Morton H. Halperin and Jeremy J. Stone, "Secrecy and Covert Intelligence Collection and Operations," in None of Your Business (New York: The Viking Press, 1974), p. 111.

\*\*\*"Foreign Policy: Nixon Dissatisfied with Size and Cost of Intelligence Set Up," The New York Times, January 22, 1971.

size of the bureaucracy casts doubt on the effectiveness of the Forty Committee. / <sup>As already noted,</sup> it is not plausible that a committee, most of whose members spend the majority of their time on other matters, can control every covert operation being conducted by the CIA around the globe. The size of the Directorate of Operations within the CIA lends support to this view.

According to Victor Marchetti and John D. Marks in their book, The CIA and the Cult of Intelligence, the clandestine services employ 6,000 people, making it the largest single element within CIA with the largest budget (\$440 million). Of this total, Marchetti and Marks estimate 1,800 persons are assigned to covert action, with a budget of \$260 million dollars.\*

There is simply too much going on at any given time to be controlled by a part-time committee. For example, in 1962, the S.S. Streatham Hill, a British freighter leased by the Soviet Union, limped into San Juan, Puerto Rico, for repairs with 80,000 bags of Cuban sugar in her hold. She had struck a propeller on a reef. Many of the sacks of sugar were put into a warehouse during repairs. CIA agents managed to contaminate the sugar that had been unloaded with what was described "harmless but unpalatable substance." A White House official happened to see a report about the sabotage and informed President Kennedy. The President was not merely

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\*Victor Marchetti and John D. Marks, The CIA and the Cult of Intelligence (New York: Knopf, 1974), p. 61.

annoyed; he was "furious," and ordered that the contaminated sugar not be permitted to leave Puerto Rico.\* It did not appear in other words, that the Forty Committee had approved this particular covert operation. If it did approve, it did not inform the President.

Even when an operation is approved by the Forty Committee, important details must obviously be left to lower level bureaucrats and operators in the field. For example, during the preparation for the Bay of Pigs invasion, CIA agents told members of the Cuban brigade that President Kennedy would not permit the invasion to fail, and that if it faltered, the President would commit American military power to assure the success of the operation. Did the Forty Committee authorize that such assurances be given to members of the Cuban brigade? It seems doubtful.

It also seems reasonable to speculate that certain covert operations are considered so sensitive that the CIA will not bring them to the attention of the Forty Committee. One former high official of the CIA told this writer, "There are some things that you don't tell Congress; some things you don't even tell the President." He apparently meant that some activities of the CIA are too sensitive to entrust to the President.

Once a covert operation is underway, it may move in

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\*"CIA Operation: A Plot Scuttled-- Plan to Doctor Cuban Sugar Depicts Control Problem," The New York Times, April 28, 1966.

directions that cannot be controlled by a committee in Washington, however distinguished its members. A case in point might be the circumstances surrounding the assassination of dictator Rafael L. Trujillo of the Dominican Republic. In 1959, Henry Dearborn, then a foreign service officer, arrived in the Dominican Republic as charge d'affairs. When the United States broke off diplomatic relations with Trujillo in August of that year, Dearborn remained on as Counsel General and the senior U.S. official in the Dominican Republic. "For the last year my job was to know what was going on," Dearborn said in an interview. "I had very good connections with the underground. I did know what was going on."\* The group was planning the assassination of Trujillo during this period did so "knowing that the United States wasn't going to be unhappy if he was 'bumped off,'" Dearborn added. "I did not know when it was going to happen, but I had a feeling that it was going to happen, and so reported it" to Washington.

Dearborn denied any direct knowledge of CIA encouragement of the plotters. Asked whether he gave encouragement to the anti-Trujillo group, he replied: "Our attitude-- they didn't have to ask us about that, the mere fact that we were in contact with them reflected that."

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\*Interview by the author with Henry Dearborn, September 25, 1972, Washington, D.C.

But around the time of the Bay of Pigs invasion in mid-April of 1961, Dearborn said, "Washington's attitude abruptly reversed." Until then, he said, he had received "only an interested reception in Washington of imminent plans to move against Trujillo. Up to that time we did not object to their plot. After the Bay of Pigs, I did tell them of the dismay in Washington, that the attitude had changed. But we didn't control them, so it didn't change their plans." Dearborn said the State Department "did instruct me to urge them the underground" not to take action against Trujillo. It was too late; Trujillo was assassinated in May of 1961.

In addition to the Forty Committee there are two other possible or potential mechanisms of control of covert operations: the President's Foreign Intelligence Advisory Board and the shadowy CIA oversight committees in the House and Senate. But the available evidence does not indicate that either the FIAB or the congressional committees control these operations. The FIAB was originally established by Eisenhower in 1956 as a result of a recommendation of the Hoover Commission. It was permitted to lapse and then revived by President Kennedy with its present name in 1961. Under President Nixon the board was headed by retired Admiral George W. Anderson, Jr. The eleven-member board consists of prominent businessmen, scientists, and others outside the government. While the board has from time to time investigated intelligence

failures and made recommendations for organizational changes within the intelligence community, it does not approve covert operations in advance. The board is something of an anomaly in that it consists of private citizens privileged to know the innermost secrets of U.S. intelligence agencies that are denied to the public at large.\*

Four subcommittees of the House and Senate are supposed to serve as watchdog committees over U.S. intelligence agencies. They are the subcommittees of the Armed Services and Appropriations committees in the Senate and in the House. These committees give the appearance of control over CIA without the reality. For the most part, they consist of senior members of Congress, many of whom are friendly to CIA. The attitude of members of these committees toward covert operations may best have been summed up in a comment of former Senator Leverett Saltonstall of Massachusetts. To Saltonstall, the problem was that "we might obtain information which I personally would rather not have..." CIA directors have insisted that the informal subcommittees exercise control over the agency; these claims may be tested against a remark made by Senator John C. Stennis, chairman of the Senate Armed Services subcommittee on CIA. In November, 1971, he assured his colleagues "this agency is conducted in a splendid way.

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\*In July of 1974, one member of the board, former Governor John Connally of Texas was indicted in a "milk money" bribery case.

As has been said, spying is spying...You have to make up your mind that you are going to have an intelligence agency and protect it as such, and shut your eyes some, and take what is coming." Symington, a member of the CIA subcommittee, replied to Stennis: "I wish his interest in the subject had developed to the point where he had held just one meeting of the CIA subcommittee this year, just one meeting."\*

### III. A HISTORY OF COVERT OPERATIONS

No complete history of CIA covert political operations can be written, since the files relating to these operations remain classified. Moreover, intelligence organizations are traditionally compartmentalized, so that exposure of one operation or agent will not necessarily compromise other operations and personnel. Thus, even within the Directorate of Plans, knowledge of specific covert operations is denied to all but those persons with a need to know.

Nevertheless, over the years a substantial number of CIA covert operations have surfaced, in some cases because they failed and were publicized. Still other covert operations have come to light as a result of independent research by writers, journalists, scholars and others, published in book form, and in newspaper and magazine accounts. In recent years, some former CIA employees have also disclosed details of certain covert

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\*Wise and Ross, The Invisible Government, op. cit., introduction to the Vintage Edition (New York: Vintage Books, 1974), p. xi.

operations.

The following brief compilation of covert operations indicates that during the past 25 years there was no year in which some major secret CIA operation was not taking place in some country somewhere in the world. It is also safe to assume that if this many covert operations have become public knowledge, many others, both "successful" and unsuccessful, have not. But even a partial list would include the following:

BURMA (1949-61). The CIA supported some 12,000 Nationalist Chinese troops who had fled to Burma in 1949 as the Communists gained control of mainland China. The Chinese Nationalist troops became heavily involved in the opium trade. The United States ambassador to Burma, unaware of the CIA role, answered Burmese protests of the presence of the troops by repeatedly denying U.S. involvement.\*

CHINA (1951-54). During this period the CIA air-dropped guerrilla teams into the People's Republic of China. In November 1952 the Chinese captured two American CIA agents, John T. Downey and Richard G. Fecteau. The U.S. claimed that they were employees of the "Department of the Army". After 20 years of U.S. denials that the two men were CIA agents, Fecteau

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\*The covert operations described in this section are from Wise and Ross, The Invisible Government, op. cit., unless otherwise sourced.

was released in December, 1971, shortly before President Nixon's trip to Peking. Downey was freed in March, 1973, soon after Nixon, at a press conference, finally publicly acknowledged him to be "a CIA agent."

PHILIPPINES (early 1950's). The CIA supported Ramon Magsaysay's campaign against the Communist Huk guerrillas. The key CIA figure in this operation was Edward Lansdale, who later became an important CIA operator in Vietnam during the mid-1950's.

IRAN (1953). The CIA organized and directed the coup that overthrew the government of Premier Mohammed Mossadegh and kept the Shah on his throne. The operation was run by Kermit "Kim" Roosevelt, the grandson of President Theodore Roosevelt. Mossadegh had nationalized the Iranian oil industry; one result of his overthrow by the CIA was that a group of Western oil companies signed a 25-year agreement with Iran for its oil. For the first time, American companies were permitted into Iran, with a 40 per cent share of the deal.

GUATEMALA (1954). In one of its most ambitious undertakings, the CIA overthrew the Communist-dominated government of President Jacobo Arbenz Guzman with U.S. arms and a CIA airforce of World War II P-47 Thunderbolts. Col. Carlos Castillo-Armas crossed the border from Honduras with 150 men. The operation had the full approval of President Eisenhower, who later confirmed the U.S. role in a 1963 speech and in his memoirs.

CUBA (1956). The CIA established and supported BRAC, an anti-Communist police force under dictator Fulgencio Batista. BRAC became well-known for brutal methods.\*

INDONESIA (1958). With a secret airforce of B-26 bombers based at the Philippines, the CIA supported rebel elements in the Celebes who were fighting to overthrow President Sukarno. One of the CIA pilots, Allen Lawrence Pope, was shot down on a bombing run, parachuted and was captured. President Eisenhower falsely claimed that the U.S. policy was one of "careful neutrality" and suggested that Pope was one of the "soldiers of fortune" who turned up in every war. Pope was freed four years later through the intervention of Robert Kennedy.

TIBET (1958-61). The CIA established a secret base at Camp Hale, Colorado, nearly 10,000 feet high in the Rocky Mountains, near Leadville. There the CIA trained Tibetan guerrillas who were infiltrated back into Tibet to fight against the Chinese Communists. The CIA's clandestine operators later claimed that some of the guerrillas from Camp Hale helped to guide the Dalai Lama over the mountains to safety in India in 1959. The entire operation almost surfaced in 1961 when a group of civilians were held at gunpoint at an airfield at Colorado Springs while the CIA

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\*Andrew Hamilton, "The CIA's Dirty Tricks under Fire-- at Last" The Progressive, September 19, 1973, p. 18.

loaded some of the Tibetans on a transport plane.\*

SINGAPORE (1960). Two CIA agents were arrested in a bungled operation that resulted from a decision by Allen Dulles, then CIA director, to infiltrate Singapore with CIA agents rather than rely on MI6, the British Secret Service, which was already established in Singapore. The agents were caught when they checked into a hotel room, plugged in a lie detector to test a spy recruit, and blew out all of the lights in the hotel. Secretary of State Dean Rusk was forced to apologize to Premier Lee Kuan Yew in 1961.\*\* The State Department initially denied and then admitted the apology had been made.

CUBA (1961). A brigade of Cuban exiles trained and supported by the CIA on a remote coffee plantation in Guatemala was decimated when it invaded Cuba at the Bay of Pigs in an ill-fated attempt to overthrow Premier Fidel Castro. Many of the brigade members were captured. Four American pilots flying for the CIA died in the invasion. U.N. ambassador Adlai E. Stevenson recited the CIA's false cover story to the United Nations when the invasion commenced. The training of the Cuban exiles had begun under Eisenhower, but the invasion

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\*David Wise, The Politics of Lying: Government Deception, Secrecy, and Power (New York: Random House, 1973), pp. 163-178.

\*\*The New York Times, April 26, 1966.

was carried out by President Kennedy, for whom it proved a major disaster.

BRAZIL (1962). The CIA spent a reported \$20 million dollars in the Brazilian election in support of hundreds of candidates for gubernatorial, congressional, and state and local offices. A major objective was to deny leftist President Goulart control of the Brazilian Congress in 1962.\*

VIETNAM (1963). The CIA worked closely and secretly with the group of generals who carried out the coup against President Ngo Dinh Diem of South Vietnam on November 1, 1963. Diem was killed in the coup. A week before, the generals assured the top CIA agent concerned that the plan of operation marked "eyes only" for ambassador Henry Cabot Lodge would be turned over to the CIA two days before the coup "for Lodge's review."\*\* Other/<sup>CIA</sup>activities in Vietnam are too numerous to be summarized here; perhaps the best known grew into the Phoenix Program, designed to "neutralize" the Vietcong. Over a three-year period, at least 20,587 persons were killed under the program, which was run by William Colby, the present head of CIA.

CHILE (1964 and 1970). The CIA spent an estimated \$20 million in 1964 in a successful effort to elect Eduardo Frei,

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\*Andrew Hamilton, op cit., p. 18, and Laurence Stern, The Washington Post, July 11, 1974, p. A3.

\*\*David Wise, The Politics of Lying, op. cit., p. 41.

the Christian Democratic candidate, over Salvador Allende.\* Unsuccessful CIA efforts to block Allende's election six years later have been discussed earlier in this paper.

CONGO (1964). Cuban exile pilots who had flown at the Bay of Pigs again flew B-26 bombers for the CIA, under the cover of a company called Caramar, to suppress a revolt against the central Congolese government.\*\* The CIA was very active in the Congo in the early 1960's when that new nation became a center of Cold War rivalry; the agency threw its support to Joseph Mobutu, who became President.

GREECE (1967). The role of the CIA in the coup that placed a military junta in power in Greece in 1967 remains murky even today; but it has been publicly acknowledged that the agency had worked closely with Colonel George Papadopoulos, the colonel who led the coup. At his Senate confirmation hearing, Colby denied a London Observer report that the CIA had "engineered" the coup. Senator Symington asked whether Papadopoulos had been an "agent for the CIA." Colby replied, "He has not been an agent. He has been an official of the Greek government at various times, in those periods and from time to time we worked with him in an official capacity."

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\*Laurence Stern, "U.S. Helped to Beat Allende in 1964" The Washington Post, April 6, 1973, p. 1.

\*\*David Wise and Thomas B. Ross, The Espionage Establishment, op. cit., p.

When Symington asked whether Papadopoulos had been paid any money by CIA, Colby replied, "I just do not know. I can say we did not pay him personally." Later Colby submitted a statement for the record saying, the CIA "never" paid Papadopoulos any money, a denial that would not, however, preclude payments through intermediaries.\*

BOLIVIA (1967). A team of CIA covert operators were dispatched to Bolivia to aid the government of that country in tracking down Ernesto "Che" Guevara, a principal lieutenant of Fidel Castro in the Cuban Revolution. Guevara disappeared from Cuba in 1965, then reappeared as the head of the guerrilla movement in Bolivia. Following Guevara's capture and death, Antonio Arguedas, the Bolivian Minister of the Interior, announced that he, <sup>Arguedas,</sup> had been an agent of the CIA for two years and had released Guevara's diary.\*\*

LAOS (1962-63). CIA covert operations in Laos have virtually become a tradition in that small Asian nation. In 1960 the State Department and the CIA each backed different political leaders to be the head of the Laotian government. It was not the first time CIA covert activities have clashed with the overt policies of other branches of the U.S. government. In August, 1971, the Senate Foreign Relations Committee published

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\*"Nomination of William E. Colby," op. cit., p. 3. See also: The New York Times, August 2, 1974, p. 1.

\*\*Marchetti and Marks, op. cit., pp. 125-132.

a staff report disclosing that the CIA for years had maintained a 30,000-man army in Laos, consisting principally of Meo tribesmen operating under General Vang Pao. Air America, a CIA airline, provided air support for the secret war in Laos. The 1973 Laotian accord supposedly marked the end of this covert operation.

ITALY (1958-67). After World War II the CIA began covert financing of the Christian Democratic Party, with payments averaging as high as \$3 million a year through the late 1950's. In 1970, Graham A. Martin, then ambassador to Italy, unsuccessfully urged the CIA to resume its secret financing of the Christian Democrats, but his proposal was turned down.\* As already noted, CIA concern over a possible Communist victory in 1948 Italian elections marked the start of the agency's global intervention through covert political action.

Thus, even this limited list of secret political operations illustrates the wide range of CIA covert action; including dropping of agents by parachute, support of anti-guerrilla activity, overthrowing governments regarded as unfriendly to Western political or economic interests, training of secret police, training of foreign guerrillas in the continental United States, full-scale paramilitary invasion, attempts to

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\*Seymour M. Hersh, "Ex-U.S. Envoy is Said to Have Urged Financing of Italian Political Faction," The New York Times, May 13, 1973.

rig elections, training and financing of a secret army to fight a secret war, and clandestine support of friendly political parties. While the techniques have varied in different countries and at different times, the basic objectives have remained the same: to manipulate the internal politics of other countries by secret action in ways that can, and have, often been denied by a succession of American Presidents.

#### IV. CONCLUSIONS AND RECOMMENDATIONS

Like the CIA itself, covert political operations are a direct outgrowth of the expanded American world role that developed during and after World War II. And, as in the case of the security classification system that facilitates the secrecy surrounding these operations, secret political action grew in a vacuum with insufficient public debate or questioning.

Covert operations may be viewed most clearly against the background of the Cold War that provided their justification in the eyes of the policymakers. For two decades, Americans were warned of the perils of a monolithic international Communism; to preserve the Free World it was deemed necessary, in the words of Allen Dulles, to "fight fire with fire." The external enemy was the rationale for the establishment of a vast secret intelligence bureaucracy, its operations subject to none of the usual checks and balances that the American system imposes on more plebeian government agencies. Thus,

history could be manipulated in favor of the good guys-- us. The United States could wage secret war against what Dean Rusk liked to call "the other side." Or, as Allen Dulles contended in The Craft of Intelligence, the United States could not wait to act until "we are invited in by a government"-- by then it might be too late.

What might have seemed logical and necessary in an era of Cold War does not seem justified today. The world has changed; the Communist "monolith" has become fragmented, the superpowers seek detente, but covert political action goes on.

Yet it is difficult to discover any moral or legal basis for such operations, and they are, at best, of doubtful constitutionality. Morally, no one appointed the United States to intervene in the internal affairs of other nations. Such operations violate the charter of the United Nations. And one can imagine the reaction in this country if a foreign intelligence service launched an invasion of the United States in Florida, poured millions of dollars into the country to support a presidential candidate or congressional candidates in order to influence the outcome of an American election, or attempted a coup to overthrow the President. A world groping for peace cannot afford secret wars.

Legally, the argument that the "other functions" clause can justify large-scale covert operations is extremely tenuous. There is no indication that Congress intended the "other functions" provision to justify such operations, and if Congress

did, the language of the statute would be overly broad. Moreover, covert operations-- at least those involving paramilitary action or the overthrow of governments-- would appear almost by definition to be unconstitutional. The Constitution vests the war power in the Congress, and operations on this scale are clearly the equivalent of undeclared war. Yet they are undertaken by Executive action alone; Congress and the public, which Congress represents, have no opportunity to debate or approve such operations in advance.

The President, it is true, has a constitutional responsibility to protect national security, but this does not extend to waging undeclared wars. If there is no moral, legal or constitutional basis for covert political operations, it may be argued that there remains a practical basis-- that such operations are pragmatically necessary to protect American security. There is, however, a fatal flaw in such an argument.

A democracy rests on the consent of the governed, and the governed are not permitted to give their consent to covert political actions because of their very nature. Moreover, when secret political operations are exposed, the government lies to protect them, by denying responsibility. The price has proved too high in terms of public confidence in the system of government. It does not work.

The road to Watergate was paved with government lying, often to protect covert political operations. The result was

the greatest crisis in the American political system since the Civil War, the impeachment vote by the House Committee on the Judiciary, and, for the first time in almost 200 years, the resignation of a President while in office. The standard of "plausible deniability" has no place in the American constitutional system. For in plain language, it means that the government can act as it pleases if it can get away with lying about its actions to the electorate. Covert operations have not proved workable in the American system; they are like a transplant rejected by the democratic host.

The <sup>damaging</sup>/effect of covert operations on the American <sup>political</sup>/system is the crucial and overriding consideration. But even from a practical standpoint, covert operations often have had the opposite effect of that intended. The Bay of Pigs strengthened Castro's position and weakened President Kennedy's. The government of Iran and Guatemala were overthrown but the reputation of the United States in Africa, South America and Asia has been tainted precisely because of such covert operations. As a result, the United States has sometimes been blamed for activities for which the CIA has not been responsible.

Since covert operations are by definition secret, the problem of control can never be solved in a democracy. If the Forty Committee does exercise control, it cannot be demonstrated, because its deliberations in turn are secret. Again, there is no way to graft secret political action onto the body politic in a system that rests upon consent.

The inescapable conclusion is that the United States should cease covert political operations, for all the reasons listed above. Congress, which has been struggling to regain its war powers from the President, should assert its right to end secret political intervention and secret wars as well. Congressional debate and national debate, and legislation to accomplish these ends are required. The "other functions" clause should be rewritten specifically to exclude covert political operations. Congress should improve its control over the CIA and the intelligence community generally and establish a joint committee/<sup>or more broadly based committees in the House and Senate</sup>for this purpose.

The Watergate crisis was a dramatic illustration of where the covert mentality can lead us when applied to American domestic politics. Watergate also proved something about the resiliency of the American system, for the impeachment proceeding and the resignation of Richard Nixon in one sense marked the drawing of a line by the people. Thus far, but no further-- America showed that it was not ready for totalitarianism. The impeachment vote and Nixon's resignation represented a cleansing of the American political process domestically. The people and the Congress can and should assert themselves just as powerfully in the field of foreign affairs. We need have no more Vietnams, no more secret wars in Laos or Cambodia, no more Bays of Pigs. American foreign policy can be carried out openly, without covert manipulation in the affairs of other nations.