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MEMORANDUM

THE WHITE HOUSE
WASHINGTON

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May 11, 1976
INFORMATION

178-10003-10233

MEMORANDUM FOR: BILL HYLAND
FROM: JOHN MATHENY
SUBJECT: Senate Select Committee
(SSC) Activities

[Handwritten initials: J, W, J, W, K]
[Handwritten note: Good report for the House - GP]

Given that the Senate Select Committee intends to go out of business as of 31 May, there is still a full plate before them to accomplish:

- The last of the domestic abuse papers will be released on Wednesday, followed by a consolidation of these (Martin Luther King, Black Panthers, etc.) into a third volume of findings to be released next week. At that time there will be three reports still outstanding to be issued, an addendum to the Assassination Report, a History of CIA, and the SSC Investigation into the Warren Commission Findings. All three are in various stages of drafting and CIA has viewed preliminary versions of each.
- There will be a section of the SSC's final report that will remain classified, and made available only to Senators upon request. Included in this section is the SSC report on Espionage (59 pp); CIA Relations with U.S. Academic and Voluntary Organizations, the U.S. Media, U.S. Religious personnel, and U.S. Labor (82 pp); Cover (15 pp); Oversight of the CIA budget (16 pp); and classified portions of the previously released report on Covert action (78 pp), ^(5 pp) the cover portion of the report on the State Department and the portion of the General Findings and Recommendations on intelligence liaison with foreign governments (1 pp).

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- The Espionage Report details practices of agent recruitment and the gathering of information from voluntary sources, both domestically and overseas. The SSC alleges that agent recruitment overseas has serious foreign policy ramifications should such recruitment become known, therefore, an NSC sub-committee should review these activities on a regular basis. In addition, the Committee takes the same line as that found in the published report on the State Department, i. e., the Ambassador should be in control of such activities overseas. The SSC also objects to CIA's Domestic Collection Division (DCD) referring candidates for possible operational recruitment to the Foreign Resources Divisions (FRD) when previous association with the Agency has been open and voluntary, and with no inherent potential for co-option of these candidates (American citizens) by their involvement in a clandestine relationship. In this regard the Committee also feels that attempts at recruitment by CIA of resident aliens who have applied for citizenship is also not kosher because of the implied threat of unfavorable consideration by the U. S. Immigration Service should the applicant refuse to cooperate.
- The two parts of the Covert Action paper which remain classified ^{discuss} techniques involved in conducting such activities and the working relationships that have developed over time between the Executive Office, the CIA, and Congress in carrying out these operations within the context of over all U. S. foreign policy. The Committee comes down on the use of para-military techniques without Congressional approval as contrary to the intent of the WAR Powers Resolution and also asserts that notification practices under the Hughes-Ryan amendment are insufficient to involve Congress in the decision-making process.
- The Cover Paper discusses past and present cover techniques from a purist standpoint (as if to exculpate the Committee from the Welch assassination in every

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way). There are, however, extensive quotes from Isenstadt on the relative merits of cover vis-a-vis operational flexibility. The conclusion is that the subject should be address^{ed} by both branches as a matter of priority because the old methods are no longer adequate (there is no mention, of course, of whether these investigations have contributed to this inadequacy).

- The paper on CIA relations with U. S. media, labor academic and religious institutions is also naive in its approach. Although the Committee endorses voluntary cooperation in all counts except religious (the game is not worth the bad PR if found out, to say nothing of the ethical straitjacket imposed on the clergy), they use the argument once again of potential co-option in recommending more stringent Executive Branch restrictions on how these relationships are promulgated.
- The Budget oversight Report details CIA budgetary practices and contains a liberal amount of figures depicting expenditures, resource allocation, etc. The ~~agreement~~^{assess}ment is made that only by consolidating the intelligence community budget can efficient allocation of resources take place (or oversight be effective).
- The CIA history paper (an expanded version by Ann Karalekas of what is contained in Book I already) runs about 200 pages. I read it last week, and aside from two aspects, judged it to be one of the more balanced papers by the Committee and relatively free of sensationalism or extremely one-sided exposition. The Agency disagrees somewhat with this assessment based on 1.) the SSC's reversal of a promise to keep the longer version classified, and 2.) their view of the paper's objectivity (or lack thereof). While I support the Agency's contention that a previous understanding (which among other things allowed them access to the McCone files) has been breached, I am in no position personally to confirm or deny the objectivity argument. I have told the Agency that we will support their contention of a breach of faith

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but that we defer to them on both sources and methods (they don't have a problem here) and the paper's balance. The two aspects I pointed out to Karalekas involved: 1.) quoting closed session testimony of George Kennan re State's Policy Planning Staff interface with the NSC on European covert action in the late 40's (I called State and advised Jennings and Hitchcock), and 2) the description of HAK as Nixon's chief intelligence advisor (vice the DCI) by virtue of his use of the NSC Staff as an inter-agency clearinghouse for intelligence aspects of policy (SALT, etc.) and his morning "briefings" of the President. I attempted to clarify the latter conception of a "briefer" (and replacement for the DCI) and commented on the former as being a relative judgment in the sense that no intelligence reporting for the DCI was ever withheld from the President (he got the PDB, etc.), and agency views were always included in policy options papers generated by the NSC Staff through Kissinger. She agreed to check with State on Kennan (as well as Kennan himself) and to try to re-phrase the Kissinger portion. I, will, of course, ask for another look at this one.

I have not reviewed the Committee's work on the Warren Commission Report (CIA tells me its virtually the AMLASH theory, as depicted in the Sunday 2 May Washington Post article -- Castro probably did it when he found out we were trying to do him in), or the Assassination Report addendum. As to the latter, I'm told by both CIA and Rick Inderfurth of the SSC Staff that the pitch is that the CIA ^{continued} ~~set about~~ to attempt to topple Allende through a coup in contradiction to instructions by President Nixon, Kissinger and Haig that the Agency drop this line of pursuit. I intend to review what they have in these two areas during this week and will keep you posted on what I learn.

As a final note, the Senate debate is now in progress re: S. Res. 400 (attached), and the word is that a compromise has been reached (with Senator Baker's active participation) whereby a new oversight committee will be given exclusive authorization and oversight jurisdiction over CIA (in direct contravention of present law, whereby CIA ^{is} ~~has~~ given a

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standing authorization approval), and shared authorization and jurisdiction over the intelligence activities of State, Defense, Justice, Treasury and the IRS. I am plugged in to Bill Kendall and to George Cary^e (CIA) and have stressed to Bill that, if passage of the compromise resolution appears inevitable, to at least urge a concurrent adjustment in the Hughes-Ryan Amendment to remove Armed Services and Foreign Relations from the "fully and currently informed" notification process. I personally think we haven't done enough on this. Duval apparently hasn't pressed on this issue (although Mike Madigan of Baker's staff has asked for options). If you wish, however, for me to take a more active role on S. Res. 400, just say so, and I will work with Bill Kendall to feed the friendlies as best I can.

*Do what you
can. [signature]*

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