

in a position to express their disapproval or concerns about the proposed action, and to communicate them to the President of the United States.

I am not suggesting that the committee should have a veto. I do not believe that is necessary. I am suggesting that the committee or its individual members would be able to communicate with the President, thus giving him the benefit of the committee's advice or of the advice of individual members.

I believe this is and would be important to Presidents. I do not believe there would be inevitable leaks from such a committee. I know that the Congress can safeguard security matters which are essential to our national security.

Finally, I believe it's necessary that a monitoring system be set up which would require frequent reports. I would suggest at least monthly to the highest level; namely, the National Security Council and the Congress and to the joint oversight committee as to the progress of any action which has been authorized to go forward. I think this would tend to help in meeting the problem that Mr. Clifford suggested with respect to a covert operation moving from A to B and then from B to C and so on.

Again, Mr. Chairman, I would stress that I believe such actions should and would be very rare and that under such a set of procedures there would be adequate oversight to control such activities.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Mr. Vance. I appreciate the specificity of your recommendations, as well as Mr. Clifford's.

They will be very helpful.

May we go next to Mr. Phillips, please?

#### **TESTIMONY OF DAVID A. PHILLIPS, FORMER OFFICER, CENTRAL INTELLIGENCE AGENCY; PRESIDENT, ASSOCIATION OF RETIRED INTELLIGENCE OFFICERS**

Mr. PHILLIPS. Mr. Chairman and Senators, for the record I would like to make it clear that any viewpoints that I express today are personal ones. They do not represent the Association of Retired Intelligence Agents, an organization of intelligence people from all services, of which I happen to be President.

I would like to discuss covert action and covert activity. There's nothing new about covert action, the term which describes a variety of hugger-mugger gambits which can be taken to influence another nation's actions, attitudes, or public opinion.

What is new is the current controversy as to whether our country should engage in covert action. This is a valid subject for debate. Even though covert operations have been drastically reduced, American intelligence personnel realize that many of the problems which beset the intelligence community result from historical slips on the banana peels of covert action. The biggest banana peel of all is that vague phrase in the charter of CIA which reads "and other such functions and duties \* \* \*" an ambiguous instruction which should be omitted from future legislation.

There are two dimensions to covert operations. The first is the major political or paramilitary endeavor, such as an attempt to change a

government—Guatemala, for instance—or to finance a secret army in Southeast Asia. You might call this covert action with a capital “C,” capital “A.” King-size.

There is a second level of covert action, in the lower case; covert action with a small “c,” small “a.” I call this “covert activity.” Little money, sometimes none, is spent on covert activity, where cooperative friends are persuaded to influence a foreign government or some element of it. The friend might be a government official responsive to an ambassador’s off-the-record request that the local government tighten up its laws concerning illegal narcotics traffic to the United States. When the friend is met clandestinely by CIA, he is called an “agent of influence”. He might be a radio commentator or a local Bernard Baruch whose park bench opinions carry political weight. The agent of influence might be the foreign minister’s mistress. Most covert activities utilizing the agent of influence are useful to American ambassadors in achieving low-key but important objectives of U.S. foreign policy. These activities are known in intelligence jargon as “motherhood,” and revelations concerning them would not shock or disturb the American public. To proscribe CIA operations in covert activities would be imprudent.

Covert action, capital “C,” capital “A”, is another matter. In 25 years as a practitioner of covert action and covert activity in seven countries I have found that most of our mistakes occur when we attempt to persuade foreigners to do something which the United States wants more than they do.

The most successful operations have been those in which we were requested to intervene—the percentage of such operations, when a foreign leader has asked for secret assistance, has been quite high. Some aspects of covert operations are anachronistic. Dirty tricks, such as besmirching the reputation of an individual, have been abandoned and should not be revived. The expensive accessories of covert action in the past, such as airlines and paramilitary units, should not and need not be maintained as secret capabilities.

There is a basic question to be answered: Given the distemper of the times, and the lack of credibility in government following Watergate, can covert operations remain covert? If not, they should be terminated. Macy’s window is not the place for secret operations.

Some sort of compromise seems to be in order. If American intelligence operators demand secrecy as essential in covert operations, executive and congressional overseers have the even more important duty of knowing what intelligence agencies are doing.

I am convinced that the CIA is the organization best suited to carry out covert action operations. Despite this, I have reluctantly come to the conclusion that the charter for covert action should rest elsewhere. I say this more in sorrow than anything else. Effective and responsible accountability override practical operational considerations. This will be best achieved in the conduct of covert action by the creation of a new, very small bureau or office. By statute this organization would be staffed by no more than 100 persons.

Some 60 would be in a support role; perhaps 40 officers would be engaged in the planning for and, on request, the execution of covert action operations. All U.S. covert action eggs then, would be in one small basket, a basket which could be watched very carefully. Even if not

utilized, such an office would be justifiable in terms of money and effort as a war plans unit, expandable in case of international conflict. A joint congressional committee should find such a unit easy to monitor, and the intelligence personnel working in it could then expect a reduced number of congressional overseers, as opposed to the six committees now observing covert operations.

The office I propose would call on expertise derived from experience. It would not employ airlines or mercenaries or exotic paraphernalia, but would need the capability to provide friends with imaginative advice and what British intelligence officers have sometimes called "King George's cavalry"—money.

Covert action is a stimulating business, a heady experience for those who sponsor it and for its practitioners. If not used in moderation it is as dangerous as any stimulant. But to suggest that covert action be abandoned as a political option in the future is, in my opinion, injudicious, if not frivolous. Some say that covert action should be abolished because of past mistakes. This would be as foolish as abolishing the office of the President because it has been once abused, or to disband our army in peace time would be.

The committee is aware of the 2-year study recently conducted by the Murphy commission.<sup>1</sup> A conclusion of this review is that:

Covert action should not be abandoned but should be employed only where such action is clearly essential to vital U.S. purposes, and then only after careful high level review.

I agree. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Mr. Phillips. That was a very interesting presentation. And now, Mr. Halperin.

**STATEMENT OF MORTON H. HALPERIN, FORMER DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL AFFAIRS; FORMER ASSISTANT FOR PLANNING, NATIONAL SECURITY COUNCIL STAFF**

Mr. HALPERIN. Thank you, Mr. Chairman.

It's a great honor to be here and especially by the fact that I'm appearing on a panel with two gentlemen under whom I had the great honor of serving in the Department of Defense, Mr. Vance and Mr. Clifford.

I have a somewhat longer statement than the others, Mr. Chairman, and I would, therefore, propose to summarize it. But I would ask that the full statement be included in the record.

The CHAIRMAN. Very well.

[The prepared statement of Morton H. Halperin follows:]

**PREPARED STATEMENT OF MORTON H. HALPERIN**

Mr. Chairman, I consider it an honor and a privilege to be invited to testify before this committee on the question of covert operations. From this committee's unprecedented review of the activities of our intelligence agencies must come a new definition of what the American people will permit to be done in their name abroad and allow to be done to them at home. No problem is more difficult and contentious than that of covert operations.

<sup>1</sup> Report of the Commission on the Organization of the Government for the Conduct of Foreign Policy, June 1975.