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CIA to Retain Right to Use Journalistic Cover

By Walter Pincus
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CIA Director John M. Deutch told a forum of high school students yesterday that the agency maintained the right to use U.S. journalists or their organizations as cover for intelligence activities but only under restrictive regulations published 19 years ago.

Asked by a student if it is "necessary for CIA agents to pose as members of the press," Deutch replied: "We have a policy on that. . . . We certainly wouldn't do that except under the current policy, which has been present for some number of decades."

Deutch did not specifically comment on a report in Friday's Washington Post—attributed to an intelligence official who spoke on condition of anonymity—that the CIA has on "extraordinarily rare" occasions waived the 1977 ban and used American journalists as cover since the regulations went into effect.

Another intelligence source said yesterday that no waivers had been approved since Deutch became director in May 1995.

Disclosure that the CIA's ban on recruiting U.S. journalists or using American news organizations as cover could be waived under a little-publicized regulation has sur-

prised many journalists and former government and intelligence officials.

It also undercut a recommendation made earlier this week by an independent blue-ribbon panel sponsored by the Council on Foreign Relations.

The group, which was unaware of the ban on using "journalistic cover" could be lifted by the director in extraordinary circumstances, called for "a fresh look" at whether the CIA should ease the ban on use of journalistic and other non-official covers for clandestine activities overseas.

Leslie H. Gelb, president of the council and a member of the panel, yesterday took issue with the group's recommendation and with current CIA policy.

A former government official as well as one-time correspondent and columnist for the New York Times, Gelb said, "I was and am flatly opposed to using American journalists as spies and American spies as journalists." He made clear the panel's views were not those of the entire council, an exclusive, nonpartisan organization whose members include many journalists.

Miami Herald Editor Jim Hampton said the council panel's proposal, if adopted, would be "one of the most stupid, dangerous and self-defeating changes in U.S. policy

that I've seen in my 36 years in journalism." The Boston Globe editorialized that the proposal falls into "the annals of truly bad ideas."

Rep. Larry Combest (R-Tex.), chairman of the House intelligence committee, said yesterday using journalistic cover for CIA activities "would not be good standard practice."

But he added in an interview that the agency should be able to look at "a range of sources" in unusual situations and turn to journalists if necessary.

There "needs to be total understanding with the individuals involved and their bosses so that if something went wrong they would not say it was done unwittingly," he said.

Combest added, "I honestly believe there are a number of responsible news organizations that would be willing to discuss such a possibility" if it were the only way a sensitive, important operation could be done.

Charles Battaglia, staff director of the Senate intelligence committee, said the panel considers questions about non-official cover to be "a great problem" and expects members will want to take "a hard look at what extraordinary circumstances led to the use of journalistic cover." Deutch said use of U.S. reporters

or journalistic cover by the CIA was not "the central question" when it came to clandestine intelligence activities abroad. That idea was echoed by Brent Scowcroft, a member of the council panel and national security adviser to Presidents Gerald R. Ford and George Bush.

"There is a central question here and it is not about the press. It's about how we do this job [of human intelligence]," Scowcroft said in an interview.

"In general we need to move out of official cover [in embassies] where we are almost totally ineffective and refocus on how we conduct these operations," he said.

The panel's recommendation on reviewing limits on unofficial cover arose from its concern that human intelligence collection is becoming more important in the post-Cold War world, where targets are terrorists and unconventional weapons programs, according to Richard N. Haass, the project director and a former member of the Bush national security council.

In its report, the panel said the CIA needs to look more closely at stationing its case officers outside embassies, which had been a successful base in the past for recruiting communist country agents who were primarily Soviet diplomatic, military and KGB personnel.