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Comment

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SECTION D

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A veteran's view

What hinders CIA from doing its job?

By Jack Maury

A wise veteran of White House councils has said that the greatest danger to peace in our time could be an ill-informed American president.

Small wonder, then, that the president reportedly has expressed concern over CIA performance with regard to the potentially explosive situation in Iran. But it is difficult to see how any intelligence service could function effectively in the face of the coincidence of circumstances which have conspired over the past several years to disrupt and demoralize the agency.

The roots of many of today's problems lie at the door of agency management. The peremptory dismissal of hundreds of skilled and experienced officers, have profoundly affected morale, resulting in the voluntary retirement of hundreds of others.

Jack Maury, who recently retired as an assistant secretary of defense, served 28 years in the CIA, including eight years as chief of Soviet operations and five years in charge of CIA relations with Congress.

CIA, and indeed our entire national security apparatus, is victim of the theology, prevalent in parts of the present administration, which holds that official secrecy, like military strength, is, by definition, immoral or sinister. The resulting restraints and inhibitions have seriously eroded intelligence initiative. This unilateral disarmament in the midst of intense intelligence warfare with foreign adversaries has had little effect in reassuring the agency's domestic critics, and even less in encouraging reciprocal restraint on the part of the KGB. It has, however, resulted in considerable disenchantment among friendly foreign intelligence services whose valuable collaboration with us in the past had been based on the belief that CIA was ready and able to take the lead in providing the Free World with protection against surprise and subversion.

But perhaps as damaging to the long-term effectiveness of our intelligence services as any of the above has been the irresponsible zeal of the American media in exposing the secrets; attacking the purposes and dis-

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torting the facts regarding our intelligence activities.

This is not to suggest that there is anything unhealthy in the adversary attitude of the media toward any government agency which operates clandestinely. Nor is it surprising that the media have not yet recovered from the euphoria — indeed the arrogance — of their success in vitally affecting the conduct and outcome of a major war and contributing to the downfall of two presidents. But just as the press has been so effective in dramatizing events in Indochina and uncovering mischief in the White House, so should its own performance be subject to scrutiny. The corruptive effects of power are not limited to government alone.

Among recurring, seriously misleading themes appearing in the news or editorial pages of influential publications have been the following:

- CIA is a sort of "rogue elephant," operating beyond the control of president or Congress. In fact, as both the Church and Pike committees concluded, CIA, in the words of the Pike report, "has been highly responsive to the instructions of the president and assistant to the president for national security affairs." And the agency has always reported to Congress precisely in accordance with procedures laid down by the Congress itself.

- CIA was a witting accomplice in the Watergate burglary. In fact, as the Rockefeller Commission concluded, CIA had no reason to know that the assistance it lent Howard Hunt (documentation, camera, recorder) would be used for improper purposes. Moreover CIA Director Helms refused to allow agency operations in Mexico to be

used as a pretext to obstruct post-Watergate investigations.

• CIA has been involved in illegal drug traffic. In fact, as John Ingersoll, director of the Bureau of Narcotics and Dangerous Drugs, stated in response to a congressional inquiry, CIA has been the bureau's "strongest partner" in uncovering foreign sources of illegal narcotics.

In addition, there have been numerous false or misleading individual news items. A few examples:

• A front-page item appearing in the New York Times in 1969 alleging that there had been "at least one confirmed battle death in Laos — when an American CIA agent was killed by gunfire at an advanced post." As a subsequent embassy investigation made clear, the "CIA agent" turned out to be a five-day old premature baby of the family of an employee of Air America, the CIA-controlled contract air carrier. The story was especially mischievous because of the strict U.S. policy, in line with the Geneva accords to which the U.S. was a party, against any combat involvement by U.S. personnel in Laos.

• Washington Post item in 1976 by a member of the Post editorial staff describing the so-called Penkovskiy Papers as "precisely the 'coarse fraud, a mixture of provocative invention and anti-Soviet slander' that the Soviet authorities . . . claimed it was at the time."

In fact, having been the CIA officer in charge of the Penkovskiy operation, I have assured the Post, as their senior editors were assured when they originally serialized the Papers, that virtually every word in them attributed to Penkovskiy was his own.

• Washington Star headline in 1976, "CIA Goal: Drug, Not Kill, Anderson." In fact, the story said only that the White House had consulted a "former CIA physician" about drug-giving Jack Anderson "to discredit him."

• A number of press stories alleging CIA introduction of swine flu virus into Cuba. Although flatly and publicly denied by the agency in both press releases and assurances to congressional committees, most of these allegations have never been retracted.

Quite as damaging as some of the false and misleading stories have been disclosures of sensitive operational information. It is difficult to see how the public interest is served by revelations which destroy the fruits of important, dangerous and expensive intelligence undertakings, strain diplomatic relations or embarrass individuals, organizations or foreign governments who have provided the agency with valuable assistance. Who is served by publication of details of the efforts of the

Glomar Explorer to salvage wreckage of a Soviet submarine? As Eric Sevareid, commenting some time ago on press stories of the interception of foreign communications and of submarine reconnaissance in foreign waters, asks: "Were these two stories information that people had a right to know and benefitted by knowing? Only a rather exotic cult of editorial thinkers would say yes."

The media have been ever ready to make instant celebrities of those former CIA employees who, for whatever motives, choose to violate their solemn secrecy commitments, sabotage sensitive and important operations and jeopardize the careers and personal safety of former colleagues by "telling all." Typical among these has been the recent idol of the talk shows and book reviews, John Stockwell. The mindless zeal with which some of the media have accepted uncritically his unsubstantiated allegations would befit the accolades heaped upon the pronouncements of Fidel Castro by Radio Havana. Lost in the avalanche of publicity is the fact that while still in the agency he failed to present his complaints to the inspector general or other senior officials, or to report them to the appropriate oversight committees of the Congress; and that some of his allegations are outright falsehoods, such as the especially serious claim that . . . the CIA's recent record includes the assassination of Patrice Lumumba; Ngo Dinh Diem, the South Vietnamese President; Rafael Trujillo Monilla, the Dominican Republic president; Gen. Rene Schneider, the commander of the Chilean Army. . . .

(The "tell all" fraternity is not limited to junior or middle-grade officers who were probably ideologically or emotionally unfit for the demands of the intelligence business in the first place. It includes, at least in some degree, a former director, William Colby, who defends his record of going beyond the traditional bounds of security on the ground that only in this way could the agency's reputation be cleared and its critics reassured.

(Among Colby's bitterest critics have been some former members of the high priesthood of secrecy, the counter-intelligence clique. Perpetrators and victims of the myth of the omnipotent KGB, their basic assumption is not only that all of our security agencies are penetrated (probably true, at least to some degree), but that most of what we take to be

reliable intelligence is being fed to us by Soviet deception artists. It is ironic that some of these self-proclaimed guardians of the agency's security conscience should, in an apparent effort to settle old scores and cover past fiascos, now turn up in the ranks of the "kiss and tell" brotherhood along with the likes of Messrs. Marchetti, Agee, Snepp, Stockwell. See, for example, *Legend: The World of Lee Harvey Oswald*, by Edward Jay Epstein.)

There is also the problem of news selection and news suppression. A case in point is the coverage of hearings on CIA and the media at the beginning of this year by a subcommittee of the House Select Committee on Intelligence. Although several former CIA officials testified there had been no significant cases where news disseminated to foreign audiences by CIA had contaminated stories destined for American readers, I noted that despite lengthy investigations by other congressional committees and numerous cries of alarm by editors and commentators, not one significant case of such contamination had been identified. Typical headlines the next day, however, was this in *The Washington Star*, "U.S. Media Took Stories Planted by CIA as Genuine".

There was also my own testimony that while there was little evidence of CIA corrupting the American media, there was good reason to believe that the KGB had been quite active in this regard. I cited a top secret manual entitled "The Practice of Recruiting Americans in the U.S.A. and Third Countries" published by the First Chief Directorate of the KGB and listing, in order of priority, 12 categories of recruitment targets. The first was government employees with access to classified information. The second was members of the media. I referred to evidence that Soviet efforts in this regard had been quite successful.

On the use of journalists in the collection of intelligence, Eugene Patterson, president of the American Society of Newspaper Editors, warned that CIA use of even foreign journalists "could lead to the death of our American Dream." However, neither he nor any media representatives cited a case where a CIA connection had either contaminated news disseminated in the U.S. or interfered with the obligations of an American journalist to his publisher or his public. Nor did anyone explain how the American Dream would be placed in mortal jeopardy by CIA recruitment of a Tass correspondent.

Over a dozen reporters were present during the hearings. They provided extensive coverage of the testimony of media representatives,

but no testimony critical of the media, or challenging allegations of CIA corruption of the media, or of KGB penetration of the media.

This is a sorry record. It brings to mind the words of Mr. Jefferson when, in 1807, he wrote to his friend John Norvell of Kentucky:

"Nothing can now be believed which is seen in a newspaper. Truth itself becomes suspicious by being put into that polluted vessel."

But the purpose of recounting this record here is not to suggest a solution to the problem of irresponsible journalism. Rather, it is to identify a source of disturbing disarray in our first line of defense and to warn those concerned about the effectiveness of the CIA of the future not to be misled by media-created myths regarding the CIA of the past. These myths have already generated public and

political pressures for cures worse than the disease, or legislative restrictions and public exposures which would damage the agency's effectiveness even more than it has been damaged already.

But there is one measure which might do much to restore the effectiveness of all our intelligence services — the passage of legislation providing meaningful protection for sensitive intelligence sources and methods. Our basic espionage law is woefully inadequate. In order to convict under it, the government must prove that the disclosure of classified information was done with "intent, or reason to believe" that it was "to be used to the injury of the United States or to the advantage of any foreign nation." Thus if even the most sensitive information, such as the identity of agents or the details of intelligence collection techniques, are revealed publicly, conviction is often impossible unless the defendant is caught *in flagrante* with a foreign agent. It is ironic that we have laws providing prison sentences for revelation of information on such matters as crop statistics, bank loans, Internal Revenue data, Selective Service records, export controls, patents, relief rolls, and even insecticide formulas; but intelligence employees can, with impunity, violate their sworn commitments, betray their organization and destroy the careers and jeopardize the lives of former colleagues by "telling all." They can destroy the effectiveness of valuable and costly technical collection systems which have been years in the making. And in doing all this they can be assured of fame and fortune.

If these instant celebrities crave future adventure and reward they can develop, and some undoubtedly have developed, mutually profitable

relationships with foreign intelligence services. Their appeal as targets for recruitment stems not only from their knowledge of our own intelligence operations; with their ready access to the media and lecture halls, they are ideally situated "agents of influence." In this capacity they are uniquely qualified to serve what a former Soviet intelligence officer has described as one of the KGB's highest priority objectives, "to put out the eyes of our enemy by discrediting and disrupting his intelligence service."

All this is not to suggest anything as drastic as the British Official Secrets Act, or the espionage laws of most other democratic countries. All that is proposed is a bill which would cover only information specifically designated by the director of Central Intelligence or the heads of the other intelligence agencies as relating to intelligence "sources and methods" — the identities of agents or the details of technical collection systems. It would have no applications to other categories of classified material. And it would be binding only on those individuals who, by virtue of employment with an intelligence agency, voluntarily assumed the obligation to protect source and method information.

In considering such legislation, it may be appropriate to recall the comment of Gen. Washington who, just over 200 years ago, wrote in a letter to Col. Elias Dayton: "The necessity for procuring good intelligence is apparent and need not be further urged — all that remains for me to add is that you keep the whole matter as secret as possible. For upon secrecy, success depends in most enterprises of the kind and for want of it, they are generally defeated, however well planned."