

DOCUMENT WITHDRAWAL RECORD [NIXON PROJECT]

DOCUMENT NUMBER	DOCUMENT TYPE	SUBJECT/TITLE OR CORRESPONDENTS	DATE	RESTRICTION
01	letter	to Mr. President-Elect DECLASSIFIED PER RAC REVIEW 6/13/2008	12/4/68	B, A
02	Report	Covert Operations of the United States Government DECLASSIFIED PER RAC REVIEW 6/13/2008	12/1/68	B
03	Report	Covert Operations of the United States Government MANDATORY REVIEW REQUEST N LN 03-21/1 SPP DECLASSIFIED PER LTR. 6/25/2010	12/1/68	B
04	letter	From: Burnett to HAK w/ attachments	12/6/68	B

FILE GROUP TITLE

HAK Office Files

BOX NUMBER

1

FOLDER TITLE

(13) Covert Operations

RESTRICTION CODES

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| A. Release would violate a Federal statute or Agency Policy. | E. Release would disclose trade secrets or confidential commercial or financial information. |
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Kissinger

4 December 1968

Dear Mr. President-Elect:

During the last 15 months a study group composed of people with backgrounds in intelligence matters and foreign affairs has met under the sponsorship of the Institute of Politics of Harvard University to study the conduct of covert operations by the United States government.

This has been an entirely private group, and no publicity on its existence or findings has been given or is planned. The memorandum attached is the product of the group's work and is intended for the private use of the new administration.

The report covers only the clandestine operations of the government. It does not cover the research, analysis and estimating functions, nor the technical intelligence activities, except in respect to certain broad organizational matters.

In our report we recommend that you should concern yourself with certain critical clandestine activities during the early days of your Administration. We believe, however, that major organizational and program changes are not priority tasks to which attention should be devoted during the first 90 days of your Administration. In particular, we recommend that you not appoint a new Director of CIA during the first year of your

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E.O. 13526, Section 3.5
PER RAC REVIEW 6/13/2008
By JLC NARA, Date 2/16/2012

Administration. The present director is an able professional who has served continuously in the intelligence community since the early days of World War II. CIA has not been a political organization. Its people have served successive administrations with equal loyalty. We believe it will help CIA to become less conspicuous and more professional if you ask Mr. Helms to continue to serve as Director at your pleasure. (There is no reason, however, to give such a decision the kind of prominence which President-Elect Kennedy did when he announced as his first personnel decision the reappointment of Allen Dulles and J. Edgar Hoover.) By the end of the first year, you will be in a better position to make changes which you believe are called for in the organization of the intelligence agencies and in the guidelines for their activities.

A next-to-final draft of this memorandum was reviewed with Mr. John A. Bross, one of the senior officials of CIA, and the findings have been discussed with him. CIA views, however, were not sought during the study, and the conclusions represent only the private views of the participants.

Franklin A. Lindsay

1 December 1968

COVERT OPERATIONS OF THE UNITED STATES GOVERNMENT

Summary of Recommendations for Action by the President

1. We recommend that the President concern himself directly with certain critical clandestine activities during the early days of his Administration. We believe, however, that major organizational and program changes are not priority tasks to which attention should be devoted during the first 90 days of the new Administration.

2. We recommend that the President not appoint a new Director of CIA during the first year of the Administration. The present Director, Richard Helms, is an able professional who has served continuously in the intelligence community since the early days of World War II and should be asked to continue serving at the pleasure of the President. He should not, however, give such a decision to continue Mr. Helms the kind of prominence which President-Elect Kennedy did when he announced as his first personnel decision the reappointment of Allen Dulles and J. Edgar Hoover.

3. The President should give one of his own senior assistants who has easy and direct access to him responsibility for watching all covert operations and direct him to

ascertain that before any covert operation is approved, all potential overt alternatives have been thoroughly canvassed and found unacceptable.

4. The President should ask to be briefed on the extent of covert capabilities and the extent of the clandestine service and its operations. The President as one of his early acts should ask the Director of CIA to advise him of any operations currently underway which might conceivably create serious problems.

5. The President should ask the Director of CIA to draft a letter from the President to the DCI which sets forth the scope of activities which the President can expect the CIA to be capable of handling, and to coordinate this draft with the Secretaries of State and Defense as well as the President's assistant for national security matters.

6. The President should make certain that his assistant concerned with intelligence remains informed on the current operational rules limiting potentially provocative overflights, surface or submarine incursions at sea and electronic stimulation.

7. The President should make it very clear to the Director of CIA that he expects him to say "No" when in the Director's judgment a proposed operation cannot be done within an acceptable risk of disclosure. In the past, problems have arisen when the CIA has accepted tasks beyond its capabilities.

8. The White House should maintain a standard form of "no comment" on clandestine activities, and a directive should be issued to the various departments to do likewise. Further, this policy should be made known publicly before there is a "flap."

9. Radio Free Europe and Radio Liberty should be funded overtly, either through a national foundation supported by government funds or through the USIA. We prefer that RFE and Radio Liberty be made a component of USIA but not the VOA. As to the lesser CIA "orphans" with a civilian base, such as the Asia Foundation, every effort should be made to obtain overt public support for them through a government financed national foundation.

1 December 1968

COVERT OPERATIONS OF THE UNITED STATES GOVERNMENT

Summary of Conclusions

I. Purposes and benefits of covert operations

1. The expertise of the clandestine service is secrecy. Covert operations should be called upon only when something should be done in a secret manner—and only when secrecy is possible. It is up to the President to determine what he wants done and whether it should be done secretly or openly.

2. An important function of a clandestine service is to maintain private liaison with important and potentially important people in other countries.

3. Covert operations permit forms of conflict which avoid open hostilities. This can be especially important in near-war situations.

4. Clandestine operations allow the Administration to support activities in one country without having the next country demand “equal treatment.” A foreign leader—government, labor, political—may need help desperately but be unable to accept it openly because of internal political repercussions.

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5. Covert operations permit the Government to act quickly, bypassing domestic US political, bureaucratic, and budgetary controls.

II. Inherent limitations of covert operations

1. Covert operations can rarely achieve an important objective alone. At best, a successful covert operation can win time, forestall a coup, or otherwise create favorable conditions which will make it possible to use overt means to finally achieve an important objective.

2. Covert operations are best suited to tactical situations where success will bring an immediate short-term gain.

3. Large operations cannot be kept secret. Some things simply cannot be done truly secretly because of their size, duration, and impact.

4. In a bi-polar world, all-out covert operations could often be justified on the ground that they were like military measures designed to help our side at the expense of their side. In the complicated political world of today it is far more difficult to know who is on whose side, for there are no clear-cut or permanent sides.

III. Risks and costs of engaging in covert operations

1. In a war or near-war situation, much greater risks of exposure can be justified not only because of greater need for the activity but also because the penalties for exposure are far less than in a period of detente.

2. An individual, a political party, or a government in office may be seriously injured or destroyed by exposure of covert assistance from CIA. The more democratic the country or the more open its politics, the greater the possibility of damage.

3. On balance, exposure of clandestine operations costs the United States in terms of world opinion. To some, exposure demonstrates the disregard of the United States for national rights and human rights; to others it demonstrates only our impotence and our ineptness in getting caught. To still others it can expose secret US support for one of their political or national enemies.

4. The impression of many Americans, especially in the intellectual community and among the youth, that the United States is engaging in "dirty tricks" tends to alienate them from their government. Disclosures in this atmosphere have created opportunities for the "New Left" to affect a much wider spectrum of political opinion than otherwise would have been the case.

5. The United States has been in the forefront of those nations concerned with expanding the role of law in international affairs. Our credibility and our effectiveness in this role is necessarily damaged to the extent that it becomes known that we are secretly intervening in what may be (or appear to be) the internal affairs of other nations.

IV. Changes within CIA in the conduct of covert operations

1. The CIA does not need additional supervisory control but rather needs strict standards to be applied internally.

2. CIA can make an important contribution to counterinsurgency operations both before armed action begins and after. Its particular capabilities for developing local police intelligence capabilities, for counterintelligence and for skilled interrogation need to be used more effectively by the government.

3. Throughout the CIA's covert activities much greater attention must be paid to clandestinity. The Agency has often tolerated risks of disclosure which were far too high.

4. CIA internal control mechanisms should clearly distinguish between operations which must remain truly secret and operations that provide only nominal disclaimability. The latter are useful only when the objective is to avoid provoking an adversary by confronting him with the public knowledge of our activities.

5. CIA should concentrate on doing the special clandestine things that it is expected to be especially competent in accomplishing. Where, for sufficient political reasons, the government decides to support airlines, newspapers, publishing houses or radio stations, the CIA role should be limited to the secure transmission of funds, intelligence and possibly guidance or control.

6. It is our impression that CIA has become much too ingrown over the years. Nearly all of the senior people have been in the organization on the order of 20 years. Because of the special security restrictions surrounding CIA, and because it is concerned exclusively with foreign activities, there is an unusually great pressure to isolation and inwardness.

V. Organizational changes that have been proposed from time to time

1. Covert operations should be carried out by the same agency which handles clandestine intelligence collection. It is often suggested that the clandestine intelligence service should be separated from that service which engages in clandestine operations. We are firmly convinced this would be a mistake.

2. The collection of technical intelligence, involving large radio monitoring activities and use of overhead reconnaissance, has become the most important source of intelligence about unfriendly nations. This activity is today conducted both by the Defense Department and CIA although it is coordinated within the DOD. The arguments for consolidation of this activity center upon the tremendous cost and the possibilities of wasteful duplication rather than on operational security. We believe that the President should review the findings of the Eaton Committee and then consider whether or not you wish to appoint a committee to review this activity during your first year.

3. A third organizational issue is whether to separate the clandestine service from the intelligence analysis and estimating activity of CIA. Most of us believe that this would be a mistake.

NIXON PRESIDENTIAL MATERIALS PROJECT
DOCUMENT CONTROL RECORD.

ITEM REMOVED FROM THIS FILE FOLDER

A RESTRICTED DOCUMENT OR CASE FILE HAS BEEN REMOVED FROM THIS FILE FOLDER. FOR A DESCRIPTION OF THE ITEM REMOVED AND THE REASON FOR ITS REMOVAL, CONSULT DOCUMENT ENTRY NUMBER 04 ON EITHER THE DOCUMENT WITHDRAWAL RECORD (GSA FORM 7279 OR NA FORM 1421) OR NARA WITHDRAWAL SHEET (GSA FORM 7122) LOCATED IN THE FRONT OF THIS FILE FOLDER.

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APPENDIX I: PRESIDENT JOHNSON'S STATEMENT ON THE "KATZENBACH
REPORT"

FOR IMMEDIATE RELEASE

MARCH 29, 1967

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

I have received the report from the committee which I appointed on February 15 to review relationships between the Central Intelligence Agency and private American voluntary organizations. This committee consisted of Under Secretary of State Nicholas Katzenbach, as Chairman, Secretary of Health, Education, and Welfare John Gardner, and CIA Director Richard Helms.

I accept this committee's proposed statement of policy and am directing all agencies of the government to implement it fully.

We will also give serious consideration to the committee's recommendation "that the government should promptly develop and establish a public-private mechanism to provide public funds openly for overseas activities of organizations which are adjudged deserving, in the national interest, of public support." To review concrete ways of

accomplishing this objective, I am requesting Secretary Rusk to serve as chairman of a special committee which will include representatives from the Executive, the Congress, and the private community.

APPENDIX II: EXCERPTS FROM THE "KATZENBACH REPORT"

In summary, the committee offers two basic recommendations:

1. It should be the policy of the United States Government that no federal agency shall provide any covert financial assistance or support, direct or indirect, to any of the nation's educational or private voluntary organizations.
2. The Government should promptly develop and establish a public-private mechanism to provide public funds openly for overseas activities of organizations which are adjudged deserving, in the national interest, of public support.

.....

STATEMENT OF POLICY

No federal agency shall provide any covert financial assistance or support, direct or indirect, to any of the nation's educational or private voluntary organizations. This policy specifically applies to all foreign activities of such organizations and it reaffirms present policy with respect to their domestic activities.

Where such support has been given, it will be terminated as quickly as possible without destroying valuable private organizations before they can seek new means of support. *

We believe that, particularly in the light of recent publicity, establishment of a clear policy of this kind is the only way for the government to carry out two important responsibilities. One is to avoid any implication that governmental assistance, because it is given covertly, is used to affect the policies of private voluntary groups. The second responsibility is to make it plain in all foreign countries that the activities of private American groups abroad are, in fact, private.

The committee has sought carefully to assess the impact of this Statement of Policy on CIA. We have reviewed each relevant program of assistance carried out by the Agency in case-by-case detail. As a result of this scrutiny, the committee is satisfied that application of the Statement of Policy will not unduly handicap the Agency in the exercise of its national security responsibilities. Indeed, it should be noted that, starting well before the appearance of recent publicity, CIA had initiated and pursued efforts to disengage from certain of these activities.

*On the basis of our case-by-case review, we expect that the process of termination can be largely—perhaps entirely—completed by December 31, 1967.

The committee also recommends that the implementation of this policy be supervised by the senior interdepartmental review committee which already passes on proposed CIA activities and which would review and assist in the process of disengagement. **

**If the Statement of Policy is to be effective, it must be rigorously enforced. In the judgment of this committee, no programs currently would justify any exception to this policy. At the same time, where the security of the nation may be at stake, it is impossible for this committee to state categorically now that there will never be a contingency in which overriding national security interests may require an exception—nor would it be credible to enunciate a policy which purported to do so.

We therefore recommend that, in the event of such unusual contingencies, the interdepartmental review committee be permitted to make exceptions to the Statement of Policy, but only where overriding national security interests so require; only on a case-by-case basis; only where open sources of support are shown to be unavailable; and only when such exceptions receive the specific approval of the Secretaries of State and Defense. In no event should any future exception be approved which involves any educational, philanthropic, or cultural organization.

2: NEW METHODS OF SUPPORT

While our first recommendation seeks to insure the independence of private voluntary organizations, it does not deal with an underlying problem—how to support the national need for, and the intrinsic worth of, their efforts abroad.

Anyone who has the slightest familiarity with intellectual or youth groups abroad knows that free institutions continue to be under bitter, continuous attack, some of it carefully organized and well-financed, all of it potentially dangerous to this nation.

It is of the greatest importance to our future and to the future of free institutions everywhere that other nations, especially their young people, know and understand American viewpoints. There is no better way to meet this need than through the activity of private American organizations.

The time has surely come for the government to help support such activity in a mature, open manner.

Some progress toward that aim already has been made. In recent years, a number of federal agencies have developed contracts, grants, and other forms of open assistance to private organizations for overseas activities. This assistance, however, does not deal with a major aspect of the problem. A number of organizations cannot, without hampering their effectiveness as independent bodies, accept funds directly from government agencies.

The committee therefore recommends that the Government should promptly develop and establish a public-private mechanism to provide public funds openly for overseas activities of organizations which are adjudged deserving, in the national interest, of public support.

Such a mechanism could take various forms. One promising proposal, advanced by Mr. Eugene Black, calls for a publicly funded but privately administered body patterned on the British Council.

The British Council established in 1934, operates in 80 countries, administering approximately \$30,000,000 annually for reference libraries, exhibitions, scholarships, international conferences, and cultural exchanges. Because 21 of its 30 members are drawn from private life, the Council has maintained a reputation for independence, even though 90 percent of its funds are governmental.

According to the UNESCO Directory of Cultural Relations Services, other nations have developed somewhat similar institutions. The Indian Council for Cultural Relations, for example, is entirely government-financed but operates autonomously. The governing body of the Swedish Institute for Cultural Relations consists of both government and private members. This institute receives 75 percent of its funds from the government and the remainder from private contributions.

The experience of these and other countries helps to demonstrate the desirability of a similar body in the United States, wholly or largely funded by the federal government.

Another approach might be the establishment of a governmental foundation, perhaps with links to the existing Federal Inter-Agency Council on International Education and Cultural Affairs.

Such a public-private body would not be new to the United States. Congress established the Smithsonian Institution, for example, more than a century ago as a private corporation, under the guardianship of Congress, but governed by a mixed public-private Board of Regents.

The committee began a preliminary study of what might be the best method of meeting the present need. It is evident, however, that, because of the great range both of existing government and private philanthropic programs, the refinement of alternatives and selection among them is a task of considerable complexity. Accordingly, we do not believe that this exclusively governmental committee is an appropriate forum for the task and we recommend, instead, the appointment of a larger group, including individuals in private life with extensive experience in this field.

The basic principle, in any event, is clear. Such a new institution would involve government funds. It might well involve government officials. But a premium must be placed on the involvement of private citizens and the exercise of private judgments, for to be effective, it would have to have—and be recognized to have—a high degree of independence.

The prompt creation of such an institution, based on this principle, would fill an important—and never more apparent—national need.

Respectfully,

/s/ John W. Gardner
Secretary of
Health, Education and Welfare

/s/ Richard Helms
Director of
Central Intelligence

/s/ Nicholas deB. Katzenbach
Under Secretary of State,
Chairman