

CIA'S USE OF JOURNALISTS AND CLERGY IN INTELLIGENCE OPERATIONS

Y 4. IN 8/19: S. HRG. 104-593

CIA's Use of Journalists and Clergy...

HEARING

BEFORE THE

SELECT COMMITTEE ON INTELLIGENCE

OF THE

UNITED STATES SENATE

ONE HUNDRED FOURTH CONGRESS

SECOND SESSION

ON

CIA'S USE OF JOURNALISTS AND CLERGY
IN INTELLIGENCE OPERATIONS

WEDNESDAY, JULY 17, 1996

Printed for the use of the Select Committee on Intelligence



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CIA'S USE OF JOURNALISTS AND CLERGY IN INTELLIGENCE OPERATIONS

WEDNESDAY, JULY 17, 1996

U.S. SENATE,
SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC.

The Select Committee met, pursuant to notice, at 10:09 a.m., in room SH-216, Hart Senate Office Building, the Honorable Arlen Specter, (Chairman of the committee), presiding.

Present: Senators Specter, Kerrey of Nebraska, Glenn, Kerry of Massachusetts, and Robb.

Also present: Charles Battaglia, Staff Director; Chris Straub, Minority Staff Director; Suzanne Spaulding, Chief Counsel; and Kathleen McGhee, Chief Clerk.

Chairman SPECTER. The Senate Select Intelligence Committee hearing will proceed.

We regret the necessity to reschedule from 9:30 to 10 a.m. and we're just a few minutes after 10 a.m. now. That was required because Senator Kerrey, Senator Glenn, and I and others had been in a meeting with Director Deutch, as a matter of fact, at the Pentagon on the issues arising out of the bombing of Dhahran back on June 25.

We'll now proceed with the hearing on what public policy ought to be with respect to the issue of the use of journalists or clergy or Peace Corps representatives by the CIA. This matter came into prominence earlier this year on a collateral discussion in one of the reports, and then the matter was discussed briefly by the committee with the distinguished director. There had been quite a concern expressed by a number of people in the news media. The House of Representatives has since taken a vote on the subject as to the prohibition of use of journalists and others by the CIA. It is a matter which the committee thinks requires some analysis in the determination of public policy, perhaps by the Congress, or at least a consideration of that.

There had been a meeting with journalists and Director Deutch and a number of people have come to some terms which at least some thought satisfactory. But it's a matter for the Congress as to what the public policy of the U.S. Government ought to be.

There have been some suggestions that the issue should be decided only by the Director, not even by the Deputy Director. There have been some other suggestions that the matter ought to be decided only by the President—that it's a matter of that importance—and that it ought to take the analogy of a Finding, as with covert activity, so that it is a very specific and a really high level showing

of necessity before a journalist or Peace Corps operator or clergy would be used by the CIA.

There's been some other thinking that it ought to be limited to a specific period of time and that if the exception is to be made, the waiver of the prohibition, waiver by the President, that it ought to be a matter of national security interest, as we have many, many laws which involve prohibitions, but provide for a special exception on the waiver on a finding by the President of a national security issue.

There's a certain concern about even a discussion of these matters to any extent publicly, because it gives currency and publicity to this kind of an issue. But I think those who would retaliate and those who would make an example of journalists, as they did of Terry Anderson—who will be a witness here today—those people are fully aware of this potential.

It's a matter of considerable interest and there ought to be public consideration, congressional consideration, to try to formulate a policy.

We have a very distinguished group of witnesses this morning. Senator Paul Coverdell will be our lead witness in accordance with our practice to give deference to members. Senator Coverdell brings a unique experience as having been the Director of the Peace Corps. We had asked the Peace Corps to send a representative here today and that was not—I'm not sure quite why not, but it was not doable or not convenient.

We have the distinguished Director of Central Intelligence, John Deutch. We have a group of distinguished journalists. As I said, Mr. Anderson, who was kept by terrorists for some 6 years between 1985 and 1991 because they thought he was a spy, a CIA spy. We have the distinguished journalist from Nightline, Mr. Ted Koppel of ABC News; Ken Adelman, who has had extensive governmental experience, is now a columnist for the Washington Times; and Chairman and editor-in-chief of U.S. News and World Report, Mort Zuckerman.

Then we have a panel of Dr. Don Argue, president of the National Association of Evangelicals; to be accompanied by Mr. John Orme, executive director of the International Foreign Mission Association; Sister Claudette LaVerdiere, president of Maryknoll Sisters; and Dr. Rodney Page, deputy secretary general for the Church World Service and Witness Unit of the National Council of Churches.

We start with our distinguished colleague, Senator Coverdell, after we have a statement by Senator Kerrey, our Vice Chairman.

Vice Chairman KERREY. Thank you, Mr. Chairman.

First of all, I just have two very brief observations. The first is that I'm very uncomfortable with any public discussion of U.S. intelligence sources and methods. I recognize that our committee did not create this topic as a public issue—that's it's been a matter of great concern not only to the media, but also the House Intelligence Committee. Not this committee—and that much of what we're doing is in response to their concern as well as a provision on this topic, that was placed in the House Authorization bill.

Nonetheless, I don't see how public discussion of which Americans are or are not authorized to be helpful to their country as in-

telligence assets will improve the quality of U.S. intelligence. Much of the discussion that we just had with the Department of Defense centered on why didn't we know. Why weren't we able to find out what terrorists had in mind in regards to Americans deployed in Saudi Arabia? How come we weren't able to find out? Well, that is not likely—those questions are not likely to be answered as a consequence of us reading the morning newspaper or watching the evening news or going down to the Saudi Arabia Chamber of Commerce and having a discussion about what's going on.

Second, I may risk being politically incorrect in saying so, but I simply don't see why any profession should be completely and permanently excluded from the possibility of working with CIA or DIA. The determining factors should be the situation, and then the willingness of the individual. If lives are at risk or a vital national interest is at risk, I don't see why any American patriot should be forbidden to cooperate with an American intelligence agency. As I understand Director Deutch's policy I support it.

We have some very convincing people as witnesses today, but I must say, Mr. Chairman, it will be hard to move me from my present viewpoint.

Chairman SPECTER. Thank you very much, Senator Kerrey.

Senator Glenn, would you care to make an opening comment?

Senator GLENN. I don't have a formal opening statement, Mr. Chairman. I think these hearings are very appropriate now, because we're, in a way, we're into a new day of new kinds of warfare internationally. We're into international terrorism and so on. You can't send satellites over and all at once pick up what's going on. We're into a time when human intelligence is going to be more important than I think it's been for a long, long time, and that's the toughest kind to develop. I guess having said that I see it as an individual choice. I sort of agree with what Senator Kerrey said that I wouldn't rule it in or out. If people feel they have information that's going to save lives or the Intelligence Community thinks that we need to learn a little more—that this particular person, be he or she clergy, journalists, or whatever, they want to approach somebody, and if that person is willing—they don't have to any more than Senators have to or anybody else. But leave it open as an individual choice as to the importance of it and how the individuals feel. But just have a policy that says we will under no circumstances, no how, no way even think of talking to the clergy or those associated with religious groups overseas or journalists, I think that would be a wrong policy, too. Because we're into a tough time for human intelligence, as I'm sure Director Deutch will comment upon in a few minutes. So I agree with the statement Senator Kerrey just made.

Thank you very much.

Chairman SPECTER. Thank you, Senator Glenn. We now turn to our distinguished colleague, Senator Paul Coverdell of Georgia.

STATEMENT OF THE HONORABLE PAUL COVERDELL, A U.S. SENATOR FROM THE STATE OF GEORGIA

Senator COVERDELL. Mr. Chairman, I appreciate the opportunity to be here. I don't know what the decision apparatus was at the Peace Corps, other than that their director is in the Dominican Re-