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May 2, 1975

To : David Belin

From : Pete Clapper

Subj : Public Affairs Considerations in Report

Like it or not, we are engaged largely in a public relations job. Attached are some considerations which might be helpful at this point, together with my own rather drastic shopping list of recommendations.

You may gather from the recommendations that the CIA is not high on my list of trustworthy agencies.

I would like to reserve the right to add to these proposals if I feel so moved.

The buckshot approach results from the fact that I am making recommendations for the staff to make to the Commission to make to the President who is under no obligation to accept any of them.

So I feel free in letting my thoughts browse contentedly in the fertile fields of CIA reform.

I would appreciate it if the attachment can be preserved in the staff files, as my contribution to your dedication to the idea that we are here to serve neither the President nor the CIA but the American people.

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SOME PUBLIC AFFAIRS CONSIDERATIONS WHEN FORMULATING RECOMMENDATIONS

There are important public affairs considerations which should be kept in mind as recommendations are formulated for the Report of the Commission on CIA Activities Within the United States.

Considerable public suspicion exists about how objective a job the Commission will do. The CIA itself, of course, suffers from the credibility gap which stretches between the public and many government agencies. Unfortunately the Agency has also been a factor from time to time in widening that gap, and by its secret nature is particularly suspect in a free and open society.

Barriers which the CIA might place in the way of a thorough investigation, the limitations of time, the size of the staff and other considerations all add to the difficulty of convincing the public that the report is valid.

Certain facts will be assembled which will be impressive indicators of the thoroughness of the job which the Commission has done. Numbers of witnesses, pages of testimony and investigative hours are among the measurements which might be mustered.

Obviously, the perceptiveness of the report and the dramatic nature of some findings will weigh much more heavily in the public's judgement.

Most important in evaluating the performance of the Commission, however, will be the wisdom of its recommendations.

In formulating the recommendations, several rules-of-thumb might well be followed:

1) Wherever there is a finding of domestic misbehavior by the CIA, there should be firm recommendations to prevent any recurrence. It will not be enough to say that the Agency has ceased such activity.

2) Candor should be the watchword. The more specific facts that the report marshals, the more believable it will be. People will recognize and will be turned off by unclear or cute evasions. They are expecting a cover-up and will view that kind of language as evidence of it. It would be foolish to refrain from using the names of top CIA officials or to avoid identifying the various major directorates, diffices and project code names. The reporters already know many of them.

3) The tone of the report should be hard-hitting and blunt wherever possible. Some of the language in the drafts which I have seen is pretty soft. Readers may ask whether the Commission was co-opted by the Agency unless the tone remains stern throughout.

4) Care must be taken to respond to every serious charge against the CIA which has appeared in the press.

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5) Cosmetic changes will fool nobody, but symbolic changes will be approved. A cosmetic change might be a new name for a division or the transfer of a division within the Agency. A symbolic change would be the transfer of leadership or of a major office to another agency.

6) Internal changes volunteered by the CIA itself will do nothing to assuage public suspicion.

7) The Commission should guard against the tendency to worry that nobody will read a long report. The lead sentence in virtually every news story when the report is released will read, "In its umpty-ump page report made public today, the Commission on CIA Activities Within the United States urged President Ford to ..." One of the most impressive statistics will the the length of the report itself. In the public mind, "If it's long, it's got to be thorough." A two-page or two-hundred page summary is fine, but the volume itself will be valued to a large extent on the basis of its size alone.

8) The Commission should take pains to make the report available to all publishers who may be interested in immediate reprinting of the volume in paperback. This is an established procedure and will assure widest distribution to the public at least government expense. Advance copies should be provided the publishers no later than they are supplied to the media.

As a member in good standing of the staff, I wish to propose for consideration a number of recommendations which I feel are warranted, would have a positive impact on the public, and would in the long run be most beneficial to the CIA.

Legislation

The Commission should recommend amendments to the existing statutes on the Agency. There is no other way to assure the public that past misbehavior will be corrected. If the President does not make legislative proposals, he will lose the initiative to the Senate Select Committee, which surely will make them.

Some of the suggestions which follow could be framed as legislation, some as executive orders and some as regulations. All are aimed at rendering the work of the Commission more credible and restoring public confidence in the CIA.

Leadership

The present leadership of the CIA should be discreetly dismissed. Mr. Colby has demonstrated imagination in proposing improvements in the CIA and revamping its image. However, more than any other person in the Agency, he personifies the darker side of its work. He is

forever tarred with the memory of the Phoenix program. His apparent manipulation of the press in the Glomar Explorer episode has simply widened the credibility gap between him and the public.

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Covert Operations.

Covert operations should be transferred to another agency. One suggestion has been made to place the cadre or capability for these operations directly under the National Security Council. The objective in this transfer is to cleanse the Agency of one of its dirtier activities in order to make the CIA more acceptable to its critics. Such a transfer will also reduce the CIA bureaucracy.

External Oversight

You may receive as many suggestions on this subject: as there are members of the staff. Effective external oversight is essential and does not exist at the present time. The job might be assigned to the President's Forgign Intelligence Advisory Board. It might go to a Congressional group. My own feeling is that a unit should be established by law with members appointed by the president and the Congress. They would be provided with staff and funding adequate to continuously observe all of the nation's intelligence and counterintelligence efforts. They would be required to report several times each year to the President and the Congressional Committee chairpersons with cognizance over the Intelligence Community.

This unit would have direct access to every office, station, file, employee, meeting and communication of the Community at all times.

The purpose of this unit is to provide the public with assurance that the Community is under scrutiny by persons under no obligation to it.

Anti-Murder Amendment

It should be specified in law that no agency of the U.S. Government will assassinate or plot to assassinate foreign leaders in time of peace. Mr. Bundy's comments notwithstanding, the legislation might define peacetime as any time when there has been no declaration of war. The statute should prohibit employees and contractors of all agencies involved in gathering foreign intelligence from consideration of murder in peacetime.

Witholding Intelligence

Legislation should be recommended asserting that no CIA finding may be suppressed, altered or witheld from the President because of political considerations or possible adverse public reaction to the finding, if it should become public. Pressure for suppression, alteration or witholding will be a violation of the law. In cases of unresolved differences in findings by two agencies, all findings will be reported.

Limited Cooperation

The report must make it clear that the Agency did not in every case cooperate fully with the Commission. I will not be easily convinced that the week-long delay between the time when I requested to see certain Helms files and the time when I was allowed to view them was not used by the Agency to cull from those files potentially damaging material.

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The files which I viewed contained numerous chronological gaps which increased my suspicions. The fact that the Inspector General was assigned to leaf through the files with me and that I did not view them privately furthered the impression that I was being spoon-fed.

The value of reporting the limited cooperation lies in its reinforcement of the need for external monitoring on a continuing basis.

Written Records

Some regulatory mechanism should be created to prohibit the destruction of written records and to require the drafting of written records on all programs requiring the expenditure of funds and on all meetings at the branch level or higher. PHOTOCOPY FROM THE GERALD R. FORD LIBPARY

Harassment

It should be made a violation of law for any CIA employee who has knowledge of the harassment of a U.S. citizen to fail to report the information to the President, the DCI, the IG or the independent investigative unit proposed earlier. Harassment of U.S. citizens should be outlawed as an Agency policy. Harassment should obviously include surveillance, wiretapping, break-ins, etc.

Inspector General

The Office of the Inspector General, CIA, should be enlarged and enhanced. It was appalling to learn at the formal briefing by the CIA for the staff.of[the Commission that the IG's office] has been downgraded to the extent that it is incapable of[inspecting] all segments of the CIA[with[routine frequency. I fail]to]see[the] logic of leaving responsibility for[oversight]in the[hands of)(the) very division which might[be]misbehaving. It is important for effective oversight and public confidence in the Agency[[that]]the] IG be restored to a position of real power. He should be provided) with a larger staff of first-rate workers, not castoffs from other offices.[He should be accorded the[highest]possible rank, stature, salary, leverage[and][complete access to every corner of the Agency]

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The staff of the Intelligence Branch, International Programs Division, Office of Management and Budget, should be expanded so that there is at least one full-time staff member at each of the following offices at Langley: DDS&T, DDI,DDO and DDA.

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Branch members should rotate among these offices to minimize the threat of their being co-opted by particular offices. They should be required to monitor all expenditures.

Incidentally, if the press knew today that there is only one OMB employee at the CIA keeping tabs on its multi-billion-dollar budget, there would be headline stories tomorrow blasting the President for totally inadequate fiscal oversight. The President will have to come out strong on this problem or lose an important initiative to the Congress.

You may wish to recommend that the OMB staff quietly be augmented even before the release of the final report in an effort to minimize the inevitable adverse reaction which will follow publication of information on OMB's current limited role.

Civil Rights of Defectors

Regulations should be promulgated within the Agency to assure that the civil rights of foreign citizens who defect to the United States are protected. Provisions should be made for periodic review and evaluation of pending cases by a group composed of representatives of several directorates so that no person may be held indefinitely without a trial.

Mail Cover and Files on U.S. Citizens

Because of the still undisclosed size of the files on U.S. citizens and the unsuspected size and duration of the mail cover operation, there will be great public interest in these subjects. Whether they are adequately treated under existing law is not

In any case, recommendations to prevent mail covers and to limit collection of files to legitimate needs should be forceful. The Commission's criticism of the Agency on these points should be resounding.

Additional Suggestions

It has become a cliche to defend the refusal to describe any CIA successes by saying that they cannot be reported without compromising sources and methods.

The Agency is now almost 30 years old. Its history is continuously compiled by its employees. The suggestion should be made to the

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President that early portions of that history might well now be released without damaging sources and methods. I volunteer to supervise the job:

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Sometimes common sense seems conspicuous by its absence in the process of classifying documents. Some kind of continuing declassification unit should be established within the Agency if one does not already exist. If one does exist, it should be given the incentive to act. A steady trickle of declassified information in the form of press releases, briefings, articles, reports, magazines and papers would be a reassuring form of communication with the public.

The President may want to consider transferring from the CIA to the State Department those elements of the Agency now engaged in the production of reports on a wide variety of subjects not directly related to intelligence. Such a change would be made by changing the lines on an organizational chart and making such reports available to the public through the State Department. The result would be a less monolithic CIA and another channel of communication by the Government to the people.

eta R. Clapper

Peter R. Clapper Director of Public Affairs

Rockefeller Commission From Pete Clapper to David Belin Public Affairs Considerations in report 1975/05/02 Source: JFK Assass Recrds, GRFL, Rock Commission, Belin, Gray, Greene files Correspondence Box 8, f II-Z memo from staff