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~~SECRET~~ 192038Z MAR 76 STAFF

CITE DIRECTOR [ ] SECTION 1 OF 2.

TO: PRIORITY TEHRAN.

RYBAT EYES ONLY

FOR AMBASSADOR HELMS FROM WARNER.

REFS: A. DIRECTOR [ ]  
B. TEHRAN [ ]

1. PER REF B REQUEST GEORGE CARVER PREPARED THE FOLLOWING ANALYSIS FOR YOUR ASSISTANCE: REF A RELATES TO MATTER OVER WHICH BOB LAYTON (NOW ASSISTANT NIO FOR SOUTH, SOUTHEAST ASIA AND AFRICA) AND I HAVE BEEN ROUND THE BARN WITH THE SENATE SELECT COMMITTEE (SSC) STAFF SEVERAL TIMES SINCE MID-JANUARY.

2. IN ESSENCE, SSC STAFF (OR, TO BE PRECISE, TWO MEMBERS THEREOF: MRS. LYNN DAVIS AND MISS BETH BLUMFIELD) HAVE DEVELOPED THESIS THAT DCI'S ROLE AS FOUNT OF NATIONAL INTELLIGENCE IS COMPLICATED BY FACT THAT WHITE HOUSE LACK OF RECEPTIVITY TO UNWELCOME NEWS/ANALYSIS/JUDGMENTS CONSTRAINS DCI'S INDEPENDENCE AND ABILITY TO BE OBJECTIVE. (THE THESIS IS A GENERIC ONE, BUT SSC STAFF SEEMS TO FEEL PRIVATELY THAT THIS BUILT-IN PROBLEM IS MORE ACUTE UNDER SOME PRESIDENTS -- E.G. JOHNSON AND NIXON -- THAN OTHERS.) ONE ASPECT OF THESIS IS THAT PAST DCI'S HAVE IN FACT FELT THEY HAD TO SUPPRESS, I.E., NOT SEND FORWARD, INDEPENDENT AND OBJECTIVE ANALYSES WHICH SAID DIRECTORS KNEW WOULD NOT BE WELL RECEIVED BY NSC-LEVEL CONSUMERS. THIS THESIS IS BEING DEVELOPED IN SECTION OF SSC REPORT WHICH ABOVE-MENTIONED LADIES ARE DRAFTING (WITH LYNN DAVIS BEING THE ACTUAL DRAFTER AND BETH BLUMFIELD HER RESEARCH ASSISTANT).

3. STAFF HAS CONVINCED ITSELF THAT TWO EXCELLENT, ILLUSTRATIVE CONCRETE EXAMPLES OF THIS PHENOMENON ARE THE ONE MEMORANDUM ON INDOCHINA DEVELOPED DURING THE PERIOD FEBRUARY-APRIL 1970 AND THE SNIE ON NORTH VIETNAMESE INTENTIONS IN INDOCHINA DEVELOPED DURING MAY AND JUNE 1970. STAFF IS DRAWING HEAVILY ON ITS INTERPRETATION OF SOME CRYPTIC MARGINALIA AND BUCKSLIP NOTATIONS PLUS ITS INTERPRETATION

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OF MEMORY-BASED COMMENTS OF PEOPLE SUCH AS JIM GRAHAM (NOW RETIRED AND WITH RAND), WHO WAS BNE CHAIRMAN ON BOTH PAPERS. STAFF DOES NOT SEEM TO HAVE BEEN SIGNIFICANTLY MOVED BY THE CONTRARY COMMENTS AND RECOLLECTIONS OF BOB LAYTON, WHO HAPPENS TO HAVE BEEN THE PRINCIPAL ONE STAFF DRAFTER ON BOTH PAPERS, OR MYSELF.

4. THE MEMO--A BROAD LOOK AT THE TOTAL INDOCHINA SITUATION-- WAS A CIA-INITIATED PROJECT (I.E., NOT REQUESTED BY OR, HENCE, KNOWN TO ANY OUTSIDE CONSUMER) WHICH WE THINK YOU YOURSELF MAY HAVE STIMULATED (THOUGH OUR MEMORIES ARE ALL HAZY). IT WENT THROUGH SEVERAL DRAFTS AND CHANGES OF FOCUS, REFLECTED IN ITS VARYING TITLES (I.E., IT STARTED LIFE PROVISIONALLY TITLED "THE SITUATION IN INDO-CHINA" AND WOUND UP BEING CALLED "STOCKTAKING IN INDOCHINA: LONGER TERM PROSPECTS"). THE SALIENT POINT IS THAT IT WAS NEVER A MEMORANDUM "ON CAMBODIA."

A. IN EARLY APRIL, ABBOT SMITH SENT OR HANDED YOU A DRAFT OF THE MEMO WITH A ONE-PAGE, FOUR-PARAGRAPH TRANSMITTAL NOTE DATED 7 APRIL (WE DO NOT KNOW WHEN YOU ACTUALLY RECEIVED OR READ IT).

(1) THE FIRST TWO PARAGRAPHS OF THE TRANSMITTAL NOTE REPORTED THAT THE APPENDED 6 APRIL DRAFT "HAS NOW BEEN COORDINATED" (WITHIN THE AGENCY), BUT EXPLAINED HOW CONTROVERSY OVER ITS CONCLUSIONS STILL SIMMERED. THE THIRD PARAGRAPH OBSERVED "WHETHER THE MEMORANDUM SHOULD GO TO THE WHITE HOUSE IS OF COURSE UP TO YOU (HELMS). I (ABBOT) WOULD OBSERVE ONLY THAT ITS JUDGMENTS ARE NOT ARGUED AT LENGTH, KNOWLEDGE OF HISTORICAL AND CURRENT DEVELOPMENTS IS TAKEN FOR GRANTED, AND THEREFORE IT MAY NOT APPEAL TO RECIPIENTS DOWNTOWN, WHETHER OR NOT THEY AGREE WITH WHAT IT SAYS. AN ADEQUATE EXPLANATION AND DEFENSE OF THE PAPER'S CONCLUSIONS WOULD RUN TO CONSIDERABLE LENGTH, AND WOULD BE DIFFICULT TO COORDINATE EVEN WITHIN THE AGENCY."

(2) ON THAT 7 APRIL TRANSMITTAL NOTE, IMMEDIATELY TO THE LEFT OF ITS ABOVE-QUOTED THIRD PARAGRAPH, ARE TWO PARALLEL VERTICAL LINES IN YOUR DISTINCTIVE BLUE PENCIL. AN ARROW RUNS FROM THESE LINES TO THE WHITE SPACE AT THE

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TOP OF THE PAGE, IN WHICH YOU WROTE THE "O.K. LET'S DEVELOP ..." COMMENT -- CLEARLY A GLOSS ON THAT THIRD PARAGRAPH -- QUOTED BY BILL MILLER IN PARAGRAPH 3 OF REF A.

(3) A FRESH DRAFT OF THE SAME MEMO WAS PRODUCED (OR AT LEAST DATED) ON 17 APRIL 1970. THIS WAS FORWARDED TO YOU VIA A BLUE BUCKSLIP, SIGNED BY ABBOT AND ALSO DATED 17 APRIL 1970, WHICH SAID "IN PUNCTUATION AND OCCASIONALLY IN PHRASEOLOGY THIS MEMORANDUM BEARS MARKS OF PAINFUL COORDINATION. IF YOU SHOULD WISH TO SEND IT FURTHER, WE COULD RUN IT AGAIN IN A DAY OR SO." ON THAT 17 APRIL BUCKSLIP, RUNNING THROUGH THE FOUR LINES OF TYPEWRITTEN TEXT JUST QUOTED, IS A BLUE PENCIL CHECK MARK OF THE KIND YOU USED TO PUT ON DOCUMENTS YOU HAD READ. APPENDED TO THE WHOLE PACKAGE (I.E., 17 APRIL MEMO DRAFT -- 44 PAGES AND 72 PARAGRAPHS -- PLUS ABBOT'S 17 APRIL BUCKSLIP) IS A YELLOW ROUTING SLIP (AGAIN, BLUE PENCIL AND YOUR HAND-WRITING) TO "D/ONE," DATED 29 APRIL AND CONTAINING THE "LET'S TAKE A LOOK AT THIS ON JUNE 1 ..." COMMENT ALSO QUOTED IN MILLER'S MESSAGE.

B. THE SSC STAFF'S THESIS IS THAT YOU PONDERED THIS MEMO FOR 12 DAYS (17-29 APRIL), THAT YOU KNEW OF THE IMPENDING CAMBODIAN INCURSION THOUGH THE ANALYSTS WHO DRAFTED THE MEMO DID NOT, THAT YOU KILLED IT BECAUSE YOU FEARED IT WOULD IRRITATE THE WHITE HOUSE BY SEEMING TO CAST ASPERSIONS ON A POLICY DECISION ALREADY MADE.

C. IN SEVERAL CONVERSATIONS WITH THE SSC STAFF AND IN SWORN TESTIMONY BEFORE "THE COMMITTEE" (AGAIN, ACTUALLY, THE STAFF, SINCE NO SENATORS REMAINED) LAYTON AND I TRIED TO EXPLAIN WHY THIS THESIS WAS NONSENSE:

(1) THE MEMO WAS A BROAD LOOK AT "WHITHER INDOCHINA" WHOSE DRAFTERS WERE UNAWARE OF AN IMPENDING MAJOR DEVELOPMENT, KNOWN TO THE POTENTIAL WHITE HOUSE RECIPIENTS, WHICH WOULD HAVE AFFECTED THE MEMO'S JUDGMENTS AND ARGUMENTS. I MADE THE POINT THAT YOU WERE IN THE POSITION DONOVAN WOULD HAVE BEEN IN HAD HE RECEIVED AN ASSESSMENT OF FUTURE EUROPEAN DEVELOPMENTS FROM OSS R&A IN LATE MAY 1944 DRAFTED BY ANALYSTS UNAWARE THAT D-DAY WAS ABOUT TO TAKE PLACE. LAYTON SAID HIS INITIAL REACTION ON LEARNING

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THAT THE MEMO HAD BEEN SCRUBBED WAS NATURALLY ONE OF IRRITATION, BUT THAT WHEN HE READ ABOUT THE CAMBODIAN INCURSION THE FOLLOWING DAY HE WAS PLEASED THAT THE MEMO HAD NOT GONE FORWARD.

(2) BOTH OF US ARGUED AGAINST ATTACHING ANY SIGNIFICANCE TO THE 12-DAY LAPSE BETWEEN 17 AND 29 APRIL. (THE 17TH, INCIDENTALLY, WAS A FRIDAY.) WE POINTED OUT THAT THE 17 APRIL DATE ON ABBOT'S BLUE CHIT DID NOT NECESSARILY MEAN THAT THE LONG MEMO HAD LANDED IN YOUR "IN" BOX ON THAT DAY, THAT YOU WERE VERY CAREFUL ABOUT READING LONG PAPERS AND THAT IT COULD EASILY HAVE BEEN SEVERAL DAYS BEFORE YOU HAD THE TIME TO STUDY THIS ONE. Y

(3) BOTH OF US ARGUED THAT YOU MADE A JUDGMENT CALL ON PRAGMATIC GROUNDS WHICH, EVEN IN HINDSIGHT, WE CONSIDERED SENSIBLE, AND THAT THE EVIDENCE DID NOT SUPPORT THE THESIS THAT THIS JUDGMENT CALL WAS AN ACT OF, OR PROMPTED BY, POLITICAL TRIMMING.

5. THE ESTIMATE IN QUESTION WAS SINE 14, 3-1-70: NORTH VIETNAMESE INTENTIONS IN INDOCHINA. Y

A. ITS DEVELOPMENT FILE INDICATES THAT IT WAS REQUESTED BY STATE, BUT LAYTON BELIEVES IT WAS ACTUALLY PROMPTED BY AN INITIAL REQUEST FROM THE ARMY VIA DIA. THERE IS A 55-PARAGRAPH 43-PAGE DRAFT DATED FIVE DAYS AFTER THE STATE REQUEST. LAYTON OBSERVED THAT HE WORKS FAST, BUT NOT THAT FAST. Y

B. THE DRAFT ESTIMATE WAS FORWARDED TO THE USIB REPRESENTATIVES ON 26 JUNE 1970, WITH A COORDINATION MEETING SCHEDULED FOR 1 JULY. SO FAR AS WE CAN ASCERTAIN, THE COORDINATION MEETING WAS NEVER HELD AND THE PROJECT WAS DROPPED SOMETIME BETWEEN 26 JUNE AND 1 JULY. Y

C. AGAIN, THE DEVELOPMENT FILE IS SKETCHY. WE BOTH EXPLAINED TO THE SSC STAFF THAT THIS FACT IS NOT NECESSARILY SINISTER, THAT THESE FILES WERE MEMORY CUES BUT WERE NEVER DESIGNED OR KEPT AS A RECORD FOR USE IN AN ADVERSARY PROCEEDING SOME YEARS HENCE. THE FILE HAS NO WRITTEN INDICATION OF WHY THE PROJECT WAS ABANDONED, OR ON WHOSE REQUEST. WE BOTH ARGUED THAT THE ABANDONMENT COULD HAVE OCCURRED FOR A NUMBER OF REASONS AND OF ITSELF WAS NO PROOF OF POLITICAL TRIMMING. THE CAMBODIAN INCURSION HAD JUST ENDED, NEW EVIDENCE WAS COMING

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IN EVERY DAY AND IT REALLY WAS NOT AN OPPORTUNE TIME TO MAKE PROJECTIONS EXTENDING INTO THE FUTURE. I SPECULATED THAT EITHER DIA OR THE ARMY COULD HAVE REQUESTED THAT THE PROJECT BE SHELVED, NOTING THAT SUCH A REQUEST COULD HAVE COME TELEPHONICALLY TO YOU AS CHAIRMAN OF USIB AND WOULD NOT NECESSARILY BE REFLECTED IN THE FILE. I REMINDED BILL BADER -- A FORMER ONE STAFFER, NOW A SENIOR MEMBER OF THE SSC STAFF -- THAT THE SHELIVING OF ESTIMATES IN TRAIN WAS NEITHER UNPRECEDENTED NOR PARTICULARLY UNCOMMON.

D. LAYTON AND I BOTH ALSO STRESSED THAT GRAHAM'S REMARKS ON THE ESTIMATE, AS ON THE MEMO, ARE BASED ON MEMORY AND HIS MEMORY IS NOT NECESSARILY ANY BETTER THAN OURS.

6. DURING OUR FORMAL TESTIMONY, THE COMMITTEE/STAFF FOCUSED ON THE FOLLOWING POINTS, WHICH ARE PROBABLY THE ONES THEY WOULD MOST LIKE FOR YOU TO ADDRESS.

A. ON WHAT DATE DID YOU BECOME AWARE OF THE IMPENDING INVASION OF CAMBODIA? (MY ANSWER WAS THAT I SIMPLY DID NOT KNOW, OR AT LEAST REMEMBER, THOUGH I HAD THE IMPRESSION THAT YOU WERE TOLD OF THE IMPENDING INVASION SOME 24-72 HOURS BEFORE IT WAS LAUNCHED.)

B. WHY DID YOU DECIDE NOT TO SEND THE ONE MEMO FORWARD TO THE WHITE HOUSE? (SEE ABOVE FOR OUR THEORIES.)

C. PRECISELY WHY DID YOU ABANDON THE ESTIMATE? (SEE ABOVE FOR OUR RESPONSE. WE ALSO NOTED THAT THE SUBJECTS COVERED IN THE ESTIMATE WERE ADDRESSED IN VARIOUS SUBSEQUENT INTELLIGENCE ISSUANCES, INCLUDING MEMORANDA DONE BY SEVERAL COMPONENTS OF THE AGENCY.)

7. ON THE OVERALL ARGUMENT OF POLITICAL TRIMMING, LAYTON AND I BOTH NOTED THAT A STRONG PIECE OF NEGATIVE EVIDENCE, SO FAR AS THIS THESIS WAS CONCERNED, WAS THE FACT THAT THE JUDGMENTS THE SSC STAFF DEEMED TO BE UNPALATABLE IN THE TWO DOCUMENTS IN QUESTION WERE MADE STRONGLY AND AT SOME LENGTH IN SEVERAL OTHER ASSESSMENTS, INCLUDING TWO FORMAL ESTIMATES, ISSUED OVER YOUR SIGNATURE BOTH BEFORE AND AFTER THE APRIL-JUNE 1970 PERIOD IN QUESTION.

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8. ABOVE DOUBTLESS TELLS YOU MORE ABOUT PENGUINS THAN YOU  
CARE TO KNOW, BUT HOPE IT IS OF SOME HELP. E-2, IMPDET.

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