

PREFACE

This is a study of the CIA's relationship with Congress. It encompasses the period from the creation of the Agency until 2004—the era of the DCIs. When Congress created a new position in December 2004—the director of national intelligence—to supersede the director of central intelligence (DCI) as head of the US Intelligence Community, it necessarily changed the dynamic between the CIA and the Congress. While the director of the Agency would continue to represent its interests on Capitol Hill, he or she would no longer speak as the head of US intelligence. While 2008 is too early to assess how this change will affect the Agency's relationship with Congress, it is safe to say it will never be quite the same.

This study is not organized as one might expect. It does not describe what occurred between the Agency and Congress in chronological order nor does it purport to describe every interaction that occurred over the period encompassed by the study. Rather it attempts to describe what the relationship was like over time and then look at what it produced in seven discrete areas.

I took this approach for several reasons. First, I found that telling the story in chronological sequence tended to obscure the lessons of the past, rather than illuminate them. Taking everything at once and bringing it forward made it more difficult to discern what was happening. The forest obscured the trees, if you will. Moreover, not everything that transpired in the course of the relationship can be considered historically significant. Even if it were possible to recount every interaction that took place between the Agency and Congress over the 58-year period covered by this study (and it isn't), readers would be wasting their time delving into it.

“Slicing and dicing” the subject matter in this way, however, did inevitably lead to a degree of duplication. I tried to deal with this problem by limiting the explanatory material in each chapter to that which was necessary to understanding the points being made in that chapter, even if the same explanatory material were also needed (to a lesser or greater extent) to understand the points being made in other chapters. Hopefully, the reader will bear this in mind (and remain tolerant) where the duplication occurs.

An element of subjectivity was also involved in choosing the examples used in the study. Several factors influenced my choices here. First, I wanted

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to confine myself to episodes that were historically significant and/or would best highlight the issues identified. I also chose episodes, where possible, that had some prior public context. Without it, not only would more explanation be required, but the chances of having it declassified would be practically nil. My intent was to produce an unclassified study, something that could be read by Agency employees outside the office. Readers may be surprised to learn that this created less of a problem than one might expect, since most of the significant interaction that has occurred between Congress and the Agency involves matters that have previously been disclosed in some manner.

The reader should not expect to find, however, detailed descriptions of the episodes chosen for the narrative. In order to keep the study to a manageable length, I deliberately tried to distill the descriptions of the events I chose into readable summaries. What I am principally concerned with here is the congressional involvement in these episodes, not with what the Agency did or did not do that prompted Congress to become involved. Indeed, books have been written about many of the episodes described here. I am not attempting to replicate what is already in the public domain with respect to the Agency's past, but rather to describe how the Agency engaged with Congress with respect to its past. Readers who want more detail concerning the Agency's activities alluded to in the study will need to consult other sources.

The study is divided into two major parts.

Part I describes how Congress and the Agency related to each other over the period covered by the study. As it happens, this period conveniently breaks down into two major segments: the years before the creation of the select committees on intelligence (1946–76) and the years after the creation of these committees (1976–2004). The arrangements that Congress put in place during the earlier period to provide oversight and tend to the needs of the Agency were distinctly different from those put in place in the mid-1970s and beyond. Over the entire period, moreover, the Agency shared intelligence with the Congress and had other interaction with its members that affected the relationship. This, too, is described in part I.

Part II describes what the relationship produced over time in seven discrete areas: legislation affecting the Agency; programs and budget; oversight of analysis; oversight of collection; oversight of covert action; oversight of security and personnel matters; and the Senate confirmation process. It highlights what the principal issues have been for Congress in each area as well as how those issues have been handled.

My principal objective in undertaking this study was not so much to describe as to explain—to write something that would help CIA employees better understand the Agency's relationship with Congress, not only to help them

appreciate the past but to provide a guide to the future. At the end of each chapter appears a section titled “Author’s Commentary” that contains my observations with respect to the topics covered in that chapter. The opinions expressed here are solely mine and should not be seen as necessarily reflecting the views of the Center for the Study of Intelligence or the Central Intelligence Agency.

In preparing this study, I have had access to classified Agency records. Within this body of material, the research done in the early 1990s by former Agency historian Gerald K. Haines proved especially useful. Classified monographs and interviews prepared by the Center for the Study of Intelligence were also unusually helpful. Inasmuch as this is an unclassified study, however, with a few exceptions only *unclassified* materials are cited in the footnotes. Where classified sources are involved, I typically refer to them in the text as “Agency records” or, in some cases, omit any source identification at all. While I recognize that from a reader’s standpoint this may be far from ideal, it was necessary to keep the study at an unclassified level.

While these documents were extremely useful, I was also struck by the relative paucity of documentation available at the CIA concerning its relations with Congress before the mid-1970s, testament in and of itself to the informal, highly personal nature of the relationship during that period. Information was routinely communicated by DCIs to members of Congress without anyone else being present. As such, there was no one to memorialize for the Agency’s records what had been said. Even where memos were prepared, they were often so cursory it was impossible to know what had actually been communicated.

In addition to the classified materials, numerous public sources were consulted. Two books have thus far been written on the subject of congressional oversight of intelligence, and both are cited frequently in this study: Smist’s *Congress Oversees the United States Intelligence Community* and Barrett’s *The CIA and Congress*. Indeed, both provide information that is not otherwise found in the Agency’s files. Numerous other books reviewed by the author have dealt with aspects of the CIA’s relations with Congress. The most notable of these are Woodward’s *Veil*; Prados’s *Lost Crusader* and *Presidents’ Secret Wars*; and Ranelagh’s *The Agency*. Several former DCIs have written memoirs that have useful insights: Helms, *A Look Over My Shoulder*; Gates, *From the Shadows*; and, most recently, Tenet, *At the Center of the Storm*.

I also did a limited number of interviews for the study, primarily with CIA officials who had recently been involved in managing the relationship with Congress and who had not been previously interviewed by the Center’s historians. Sadly, these did not include the personal recollections of Stanley M. Moskowitz, who twice served as the Agency’s liaison with the Congress under DCIs Woolsey and Tenet. While Stan had agreed to be interviewed for

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this project, he passed away unexpectedly on 29 June 2006 before the interview could be scheduled.

I did not seek access to records held by the select intelligence committees, given their past reluctance (under their respective committee rules) to provide such access to outsiders. It is my hope that one day they will see fit to write their own histories and make them available to the public.

—*L. Britt Snider*