

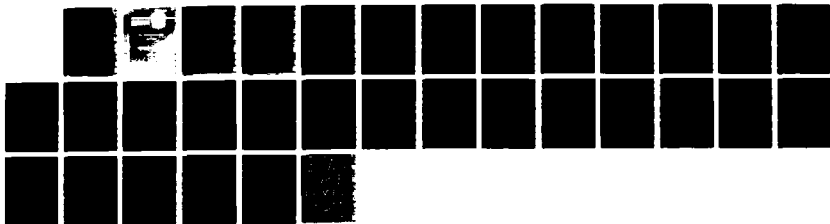
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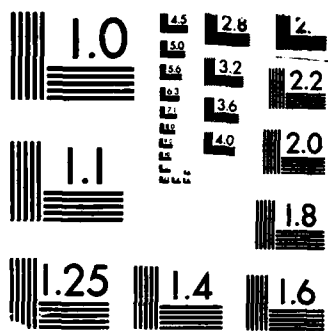
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Although the initial concept of this project was intended to address ethical conduct in military covert activities, it became quite evident in the early review of research material that personal values and individual commitments should be essentially the same regardless of whether it involves civilian or military directed operations. Therefore, the scope of the study has been broadened to look at the ethics, or lack thereof, demonstrated by federal government entities and its employees when tasked to undertake covert initiatives.

In conjunction with this objective, considerable time was spent reflecting upon how the terms 'covert', 'ethical', and 'unethical' are viewed by a cross-section of the federal bureaucracy and general populace. While each has a clearly defined meaning, it is somewhat surprising that people and institutions more often than not revert to personal standards, religious or political philosophy, or biased thinking when taking a stance on ethical and unethical conduct. The situation is usually compounded further on issues pertaining to covert actions. Right or wrong, covert operations tend to convey a negative image to a wide range of society. Regardless of the safeguards employed, observers and/or investigators of covert operations generally question the ethics and loyalties of those involved without giving due balance to the merits of the activity. Conversely, there are those who would take a very conservative position and declare that 'the end justifies the means' in covert actions, and that individual and organization accountability should not be a major factor in the equation.

While it is logical to expect that extreme minority elements at both ends of the spectrum will have different viewpoints, it is imperative that managers and senior military officers ensure that ethical standards are established, are clearly defined and understood, and that subordinates realize the consequences if such are violated. Even with the most exact guidelines, individuals involved in covert activities must be keenly alert to unexpected pitfalls which tasks their ability to respond not only in a truly professional manner, but with the desired ethical reaction.

USAWC MILITARY STUDIES PROGRAM PAPER

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ETHICAL GUIDELINES FOR COVERT OPERATIONS

by

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ETHICAL GUIDELINES FOR COVERT OPERATIONS

CHAPTER I

INTRODUCTION

"Once again it is morning in America. But this morning Wall Street financiers are nervously scanning the papers to see if their names have been linked to insider trading scandals. Presidential candidates are peeking through drawn curtains to make sure that reporters are not staking out their private lives. A congressional witness, deeply involved in the Administration's secret foreign policy, is huddling with lawyers before facing inquisition. A Washington lobbyist who has breakfasted regularly at the White House mess is brooding over his investigation by an independent counsel. In Quantico, the Marines are preparing to court-martial one of their own. In Palm Springs, a husband-and-wife televangelist team are beginning another day in seclusion."¹

"With at least the perceived support of the President and the lack of any meddling bureaucracy to stand in his way, Lt. Col. Oliver North was free to conduct the Contra operation the way he conducted himself in Vietnam: with full-speed-ahead chutzpah aimed at immediate results rather than at long-term consequences. Ironically, North's secret war ended much the same as Vietnam did: with victory thwarted, in his eyes, by a hostile press, a do-nothing Congress, and an apathetic public. Only this time, the biggest villain of all may have been North himself, who sometime in the course of his confused life came to believe that he had not only a right but a duty to circumvent the law and the government he served and wage a war of his own."²

The above two quotes provide startling reminders of how individual weaknesses contribute to the decay of the American moral and ethical character and how misguided, albeit well-meaning, government officials either abuse or misrepresent

their authority to accomplish objectives that lack clearly defined management direction, guidance, and checkpoints.

In the following chapters, I will endeavor to review in depth the qualities of strong and effective leadership, and the importance of ethical and moral conduct on issues of interest to society in general and government employees in particular. Additionally, several case studies pertaining to covert operations will be analyzed to determine if and to what degree professional guidance was employed, what impact such had on the activity, and how those involved reacted ethically in the absence of specific instructions.

Finally, in addressing those cases in which deficiencies are noted, options will be explored to preclude similar omissions and mistakes from recurring.

ENDNOTES

1. Time Magazine, Editorial on Ethics, 25 May 1987, p. 14.
2. Newsweek Magazine, Editorial on National Affairs, 13 July 1987, p. 18.

CHAPTER II

LEADERSHIP - REQUISITE QUALITIES

"Leadership has been traditionally viewed as the art of influencing other human beings to undertake tasks and complete them successfully in a way determined by the leader. In the military, it is accepted that the most visible manifestation of leadership is by command of a unit. Moreover, it is thought that such command is best undertaken by those possessing well-known leadership traits, ranging from bearing and courage to loyalty and unselfishness."¹

Although historians have had difficulty agreeing upon a single definition to describe the term leadership, it is generally recognized that anyone who can effectively influence others in conjunction with accomplishing a specific goal or objective is a leader. Whether it be in a military or civilian environment, the successful leader inspires and directs by obtaining the willingness, obedience, confidence, respect, loyalty, and cooperation of his men. Conversely, the absence of only one of these factors is likely to have a very detrimental impact on a commander's or manager's ability to function as a leader. Generally speaking, bad or weak leadership can usually be traced either to violations of basic principles or the failure to develop one or more of the qualities of good leadership.

According to General Matthew B. Ridgeway, "the chief ingredients of (good) leadership ... are character, courage, and competence."² Of the three, character is considered the prime element by most organizations when evaluating an individual's

potential for senior leadership and management positions. Men and women with impeccable character are known for their self-discipline, readiness to accept responsibility, willingness to admit mistakes, their modesty and humility, and willingness to sacrifice if the situation so dictates.

Of almost equal importance is courage, both physical and moral. These two aspects of courage are products of the character forming process in which leaders learn and develop qualities that enables them to deal with fear, render sound judgments under stress, and realize success from seemingly hopeless situations.

The final trait, competence, speaks for itself. A leader that neither displays the required skills nor demonstrates an indepth working knowledge of the functions under his responsibility will quickly lose the respect and support of subordinates and superiors alike.

In sum, an efficient and effective leader must have the presence of mind to direct or manage several activities simultaneously. While most of the responsibilities for the military and civilian leader can be characterized as overt initiatives, there are instances where he/she must be particularly attentive to following proper procedures when involved in sensitive, covert operations. Accordingly, the good leader is obligated to utilize available resources and exercise appropriate power with discretion, formulate clear-cut guidance to subordinates, and provide a feedback mechanism to preclude misunderstandings and misconduct from occurring.

ENDNOTES

1. Sam C. Sarkesian, Beyond the Battlefield: The New Military Profession, New York, N.Y., Pergamon Press, 1981, p. 60.

2. General Matthew B. Ridgeway, Military Review, Vol. 46, No. 10, October 1966, p. 40.

CHAPTER III

ETHICAL AND MORAL BEHAVIOR

"Ethics, morality, right, and wrong. In recent years these words have been thrown at the intelligence profession like so many stones. People in the profession (military and civilian) have generally reacted the same way guests of honor at a stoning usually act: with resignation or anger, or by averting their hands. Since the mid-1970s, the profession has been awash with rules and procedures initiated in the name of ethics, the last breach of which can cost a man his career."¹

Webster defines ethics as "the rules or standards governing the conduct of the member of a profession." From the same reference, morality is described as "pertaining to personal behavior measured by prevailing standards of rectitude." In essence, ethics and morality go together like hand and glove - one establishes the parameters for a code of conduct while the companion value reflects the actions, good and bad, demonstrated by individuals in the performance of a specific activity.

Especially in the federal government, the name of the game for civilian and military officials is deeds, not words. To be successful in this endeavor, "senior leaders and commanders must control their public character by always considering the ethical implications of their actions and behaving accordingly."² Complicating the fact, however, is that few Americans know anything about intelligence activities or covert operations other than what is furnished through the news media. With only a limited general understanding of related functions and of prescribed boundaries for such functions, most of the public too often tend

to form opinions based on news media accounts and interpretations regarding particular events. Unfortunately, such reliance subjects the consumer to the possibility of biased information or misrepresented facts. When this occurs, those involved in an operation are placed in jeopardy, particularly if instructions have not been explicitly followed, if short cuts have taken place as a matter of expediency, or if the activity has been void of requisite leadership.

For these reasons, it is imperative that the senior manager or commander responsible for a covert operation have a well-thought-out plan which ensures that his actions, and those of his subordinates, never violate established and accepted standards of professional conduct in the pursuit of the objective.

ENDNOTES

1. Malcolm Wallop, Ethics and Intelligence, The Military Intelligence Community, Westview Press, 1986, p. 211.

2. USDA FM 22-103, Leadership and Command at Senior Levels, Professional Ethics, June 1987, p. 23.

CHAPTER IV

COVERT OPERATIONS - CASE STUDIES

"Clandestine operations are activities conducted in secret by an intelligence service. They encompass the collection of intelligence, counter-intelligence, and covert action. The term covert, though synonymous with clandestine, describes an activity or event which generally occurs in the public domain observable by those who happen to be at hand. It has an identifiable instigator or sponsor, and its covertness lies in the relationship between the latter and some hidden, unacknowledged, authority or source of assistance."¹

The purpose of this chapter is to review in some detail several case studies of covert operations undertaken by organizations and individuals in the pursuit of specific objectives. The primary goal in this effort will be to investigate the actions of those charged with performing such tasks to determine if their conduct and behavior are consistent with higher level guidance and authorized operational constraints. As a side issue, I will endeavor to rationalize such questions as:

- Does the end ever justify the means?
- Are there instances where lying and/or deception are justified for the good of the country, its people, an operation?
- Should ethical standards ever be sacrificed when confronted by a situation in which an opposing force subscribes to a completely different set of rules and values?
- Does a prescribed ethical behavior impact negatively on an official's effectiveness in performing covert actions?

In conjunction with the above, three unique cases have been

selected for study - 'The Iran-Contra Affair', a '1960 incident involving Laotian Captain Kong Le', and the 'Overthrow of Chilean President Allende in 1973'.

The Iran-Contra Affair

On 1 December 1986, President Reagan established a Special Review Board (known as the Tower Commission) to investigate the involvement of the National Security Council staff in the sale of arms to Iran and subsequent diversion of funds from the arms sales to Contra forces in Nicaragua. Specifically, this Board was directed to conduct "a comprehensive study of the future role and procedures of the National Security Council (NSC) staff in the development, coordination, oversight, and conduct of foreign and national security policy."²

In late 1986, documentation began to surface which disclosed that the United States had been engaged in secret negotiations with Iran since August 1985. Allegedly, these contacts were to result in the sale of much needed military equipment to Iran in exchange for that country's direct intervention and assistance in obtaining the release of American hostages held in Lebanon. Although this action conflicted with stated United States policy concerning embargos on arms sales and neutrality in the Iran/Iraq war, in addition to a long-standing stance that the United States would not 'deal' for hostages, a bigger issue developed when it became known that some senior government officials may have broken, or at least circumvented, existing laws (especially the 1982 Boland Amendment) by covertly

transferring proceeds from the Iranian arms sales to support Contra operations in Nicaragua.

As an independent council is still investigating the activities of those who participated in this event, it would be premature to jump to conclusions as to the final outcome. It can be said, however, that both senior civilian and military members within the government, retired military officers, and influential individuals in the private sector apparently conspired to carry out what they perceived to be the President's broad policy to continue private, non-government support and assistance to the Contras.

Thus far, the principle characters named in this crisis have been Mr. Robert McFarlane, Vice-Admiral Poindexter (both NSC advisers during the period in question), Lt. Col. Oliver North (NSC staffer), ex-CIA Director William Casey, Assistant Secretary of State Elliott Abrams, Maj. Gen. Richard Secord, and Secord associate Albert Hakim. Also suspected of being involved to some degree, or knowledgeable of the operation, were Vice-President Bush, Attorney-General Edwin Meese, ex-White House Chief of Staff Donald Regan, and several other mid-to-high level government officials.

Rather than dwelling on the legality of this activity, lets take a look at the motivation of those involved and how they fulfilled their responsibilities.

As a follow-up to the 1982 'Boland Amendment', Congress in October 1984 initiated action to preclude U. S. Government

agencies involved in intelligence activities (specifically the Department of Defense and CIA) from providing financial support to the Contras for military operations in Nicaragua. While opinions differ to this day as to whom this legislation applied, Lt. Col. North and VADM Poindexter apparently received legal advice which satisfied their concerns regarding possible NSC sponsored support to the Contras. Under Lt. Col. North's direction, several non-profit organizations were established to channel financial assistance from both private U. S. citizens and foreign officials to the Contras for purchasing military hardware. From mid-1985 until mid-1986, North and Secord coordinated numerous arms shipments via air to the Contras. Although North apparently kept McFarlane and Poindexter generally abreast of his initiatives, no evidence has yet surfaced which formally authorized his wide ranging free-lance activities.

Also in 1985, U. S. Government officials became involved in negotiations with Iran to obtain the release of American hostages held in Lebanon. While there are those who claim that this effort was initially intended to be a strategic measure to establish some form of contact and dialogue with moderate elements in Iran, testimony given before the Tower Commission indicates that these discussions quickly evolved into an arms for hostage exchange. As the controversial Iranian and Contra events occurred during the same general timeframe, it is not surprising that the casual observer concluded that a well-orchestrated covert operation had been set in motion from the beginning. While it is true that the quartet of McFarlane,

Poindexter, North, and Secord were major players in both activities, the evidence suggests that the latter two were the prime movers in the eventual diversion of funds to the Contras realized from military hardware sales to the Iranians. In this capacity, North has been credited with "misrepresenting his access to the President", ... "suggesting without authority a shift in U. S. policy adverse to Iraq in general and Saddam Husain in particular", and "committing the United States without authorization, to a position contrary to well established U. S. policy on the prisoners held in Kuwait."³ In essence, North functioned almost entirely outside the framework of the U. S. Government in pursuit of his objectives.

Whether or not North and his associates will be eventually held legally responsible for their actions has yet to be determined. However, the American public and Congress have already had an opportunity in the aftermath investigation to weigh testimony by those involved regarding how they neglected to keep upper management aware of operational activities and then subsequently misled, concealed, or lied to congressional panels investigating the Iran-Contra affair. It has also been alleged that North, Secord, and Hakim may have misused diverted funds from the arms sales for personal gain. If this additional accusation proves to be true, then Lt. Col. North and company could be prosecuted, not only for breaking U. S. laws, but severely chastized for unethical behavior with respect to their actions and endeavors on behalf of the U. S. Government.

Incident Involving Laotian Capt. Kong Le

From 1958 until mid-1960, Lt. Gen. John A. Heintges was assigned to the Kingdom of Laos as Chief of the Program Evaluation Office, a pseudo-civilian activity providing military assistance under the direction of the Defense Department.

During this period, Lt. Gen. Heintges was placed in very awkward positions ranging from supporting an Ambassador (Brown) that had only limited support and popularity at the Pentagon and State Department, to providing and accounting for appropriate military hardware to the Laotian military, to almost single-handedly directing Laotian Defense Minister General Phoumi's march on Vientiane to recapture the capital from renegade Laotian military elements commanded by Capt. Kong Le. While these activities were linked to some degree, the one which will be focused upon concerns Capt. Kong Le.

To set the stage, the time is early 1960. The majority of the senior ministers of the Laotian Government were in Luang Prabang consulting with the King, and Capt. Kong Le had been ordered to a site 70 miles north of Vientiane to engage a Pathet Lao (communist) unit. Although Capt. Kong Le moved his troops toward its destination on the prescribed date, he stopped some 10 kilometers north of Vientiane. Under the cover of darkness that same evening, his paratroop battalion returned to Vientiane and took control of government facilities, the airport, the radio station, etc. While not a communist, Capt. Kong Le did have in his command several questionable officers

whose true colors were unknown and were probably instrumental in convincing him to make this move to overthrow the government. It was Capt. Kong Le's assertion, however, that he had taken this initiative because the government had neglected to pay the salaries due to him and his men.

This event came as quite a surprise to Lt. Gen. Heintges and CIA personnel stationed in Laos, particularly the latter as they had been covertly supplying Capt. Kong Le with arms and communications equipment for over three years and assumed that he was under their control. However, the U. S. Ambassador to Laos, Lt. Gen. Heintges, and other senior U. S. officials in Vientiane considered Capt. Kong Le totally unacceptable as leader of the Laotian Government. Documentation has revealed that Lt. Gen. Heintges evaluated Capt. Kong Le as "nothing but a roustabout ... he had several women on the string ... he was a drunk ... he had a seven year grade school education and was just a good soldier ... but absolutely unreliable."⁴ It was Heintges' view that Capt. Kong Le was probably the person most responsible for starting the war that was to follow in Laos.

Recognizing that Defense Minister Phoumi was the only senior Laotian officer capable of mobilizing a sufficient military force to extricate Capt. Kong Le from his stronghold in Vientiane, a plan was devised that would enable General Phoumi to move with a degree of secrecy on several fronts toward Vientiane. At the same time, Lt. Gen. Heintges was considering a plan to eliminate Capt. Kong Le. While this would be a rather drastic measure to take, it would preclude a probable bloody

encounter between General Phoumi and Capt. Kong Le forces where the outcome could not be guaranteed to favor General Phoumi. Even so, Lt. Gen. Heintges went to U. S. Ambassador Brown stating "the solution to this whole problem is to get rid of Kong Le, and we have a plan to do that" ... to which Ambassador Brown surprisingly replied ... "I agree with you. He's the trouble maker."⁵ Much to their disappointment, Ambassador Brown's submission of the idea to Washington was subsequently disapproved.

This response forced Lt. Gen. Heintges to establish a communications net spanning most of Laos that allowed him to keep General Phoumi abreast of Capt. Kong Le's defensive strategy around Vientiane. This assistance proved invaluable during General Phoumi's advance on Vientiane and his eventual success in routing Capt. Kong Le northward toward North Vietnam.

Although the ultimate covert action, the assassination of Capt. Kong Le, never materialized, Lt. Gen. Heintges did demonstrate courage and creative leadership by proposing an action which would have sacrificed one life to save many others. To his credit, Lt. Gen. Heintges devised an effective plan that probably would have succeeded, presented it to the senior U. S. representative in Laos (Ambassador Brown), who in turn submitted it to his superiors in Washington for final consideration. Once the idea was rejected, Lt. Gen. Heintges directed his energy to supporting General Phoumi's attack on Vientiane to dislodge Capt. Kong Le and restore government authority.

These facts certainly reflect that Lt. Gen. Heintges not only had the strength of character to propose and initiate a very sensitive covert operation, but the good judgment not to attempt such without appropriate authorization. Regardless of the options under consideration, Lt. Gen. Heintges consistently demonstrated a clear understanding of right and wrong. He also apparently felt strongly that established procedures must be adhered to in all circumstances. Although obviously frustrated by uncontrollable events, Lt. Gen. Heintges' professionalism was evident when he remarked upon concluding nearly three years in Laos ... "I thought it was silly that we couldn't do this and we couldn't do that, that I had to check with the Ambassador, and that the State Department made all the decisions, and that we couldn't take any military actions. But I soon realized that this was a quite different situation that we were in over there."⁶

The Overthrow of Chilean President Salvador Allende

In the fall of 1973, senior military officers of the Chilean Armed Forces executed a coup d'etat against the then President Salvador Allende which resulted in his death. While there have been several theories concerning what actually transpired that fateful afternoon of 11 September (whether President Allende committed suicide or was shot by soldiers loyal to the conspiring officers during the attack upon Santiago's Palacio de la Moneda), this case study will look at the alleged involvement of the U. S. Government. In conjunction with this objective, several

questions need to be addressed.

- Did elements of the U. S. Government have prior knowledge of plans for the coup?
- If so, why did the U. S. Government choose not to warn President Allende?
- Is there any evidence that the United States conspired with Chilean military officers to ensure that the coup would be successful?

After examining classified documents from the CIA, the State Department, the Pentagon, and the White House, a 1975 Congressional Commission chaired by Senator Frank Church came to the following conclusion: "Was the United States directly involved, covertly, in the 1973 coup in Chile? The committee has found no evidence that it was."⁷ However, the wording of this statement - no direct involvement - has led many to speculate that the Church Commission was of the opinion that U. S. Government sponsored covert actions initiated in early 1970 may have contributed to an environment that encouraged, and perhaps assisted, the Chiefs of the Chilean Armed Forces in their pursuit to overthrow the socialist government of President Allende.

Although it is impossible to determine how much influence such covert operations, particularly those carried out by the CIA and Defense Department attaches stationed in Chile, may have had on events during the period leading up to the coup, the Church Commission did reveal that ... "the United States by the nature of its contacts with the Chilean military probably gave

the impression that it would not look with disfavor on a military coup."⁸ Regarding the involvement of the CIA, ex-CIA Director William Colby stated in his memoirs: "I am not trying to whitewash CIA's activities in Chile ... certainly in TRACK II in 1970 it sought a military coup ... certainly, having launched such an attempt, CIA was responsible to some degree for the final outcome, no matter that it tried to distance itself and turn away well before 1973."⁹

The Church Commission also surfaced that intelligence reports concerning action initiated by the Chilean military were received by the CIA (methods and sources for obtaining such intelligence remains classified) throughout the three months preceding the coup. In actuality, senior members of the U. S. Government became aware during the weekend of 8 and 9 September 1973 that the Chilean generals and admirals would execute the coup on 10 or 11 September.

Having foreknowledge of an impending coup, did the United States have an ethical obligation to warn President Allende considering the fact that he represented a constitutionally elected government which enjoyed full diplomatic relations with the United States? On this point, the Church Commission apparently conceded that there were sufficient indicators available in Chile to forewarn Allende what was in the making. Even so, it is highly unlikely that any senior U. S. Government official, from President Nixon down, would have considered alerting Allende as to the plans of the Chilean military in view

of his aggressive anti-American stance.

With the Chilean economy in shambles and United States/Chilean business relations at their lowest level, President Allende continued to embrace and praise pro-Soviet ideology. This was alarming not only to the United States, but to other pro-western countries in South America. Urged on by Cuban President Fidel Castro, Allende and key high ranking ministers in the Chilean Government openly promoted the teachings of Marx and Lenin to the point that most democratic and constitutional forces in Chile had come to the conclusion that the Allende regime was operating outside the law. For these reasons, some feel it would have been illogical to expect the U. S. Government to react any differently than it did. Obviously, there is an element of society that believes the United States acted immorally and unethically as to the overthrow of President Allende. The people who come to this conclusion probably did not accept that the Allende Government posed a major threat to democracy in the Western Hemisphere. The United States Government was convinced otherwise and acted accordingly to protect its vested interests as leader of the free world.

ENDNOTES

1. Hugh Tovar, Covert Action, Intelligence Requirements for the 1980's, Elements of Intelligence, National Strategy Information Center, Inc., 1979, p. 69.

2. Executive Order No. 12575, Appendix A.

3. Tower Commission, Report of the President's Special Review Board, 26 February 1987.

4. Major Jack A. Pellicci, USA; Interview of Lt. Gen. John A. Heintges, USA Retired, 1974, p. 536, Manuscript held by U. S. Army Military History Institute, Carlisle Barracks, PA.

5. Ibid., p. 553.
6. Ibid., p. 589.
7. Nathaniel Davis, The Last Two Years of Salvador Allende, Cornell University Press, 1985, Chapter 13, p. 345.
8. Ibid., p. 346.
9. William E. Colby, Honorable Men; My Life in the CIA, New York, Simon and Schuster, 1978, p. 305.

CHAPTER V
CONCLUSIONS

The three cases reviewed involved known or alleged covert activities. The first reflects how an individual (Lt. Col. North) gets caught up in an activity and acts irrationally in pursuit of an unauthorized objective. People in this category tend to ignore established procedures, believe that the end justifies the means, and that they are above laws which govern moral and ethical behavior. The second also concerns an individual action but differs from the first in that the principle character (Lt. Gen. Heintges) had not only the courage to propose a covert action that would have resulted in the death of someone, but the professional judgment to seek appropriate authority before proceeding with the activity. The final case looked at the alleged involvement of the U. S. Government in the overthrow of a foreign government. While it may never be ascertained to what depth the United States participated in the Chilean coup d'etat that resulted in President Allende's death, it does reveal that there are instances in which an organization or government makes a conscious decision to implement covert actions to protect important business and political interests even with the realization that such efforts will be heatedly questioned by elements of the government executing the operation.

In short, accepting the fact that covert operations are a necessary capability available to a government, and that there may be situations which justify stretching existing codes of

conduct pertaining to ethical and moral behavior, the line must be drawn when individuals and/or organizations take it upon themselves to operate at will without proper guidance and authority to achieve a specific objective.

In wrapping up this study, the lingering question is how best to promote and maintain high ethical standards and moral behavior regardless of the circumstances. While not disagreeing with that element of society that would opt for a binding legal code and accompanying penalty system for violators, I believe it would be an almost impossible task to devise applicable and enforceable set of rules that would cover all avenues of concern, particularly those involving covert operations where the actions are cloaked in secrecy.

Until such time as this becomes a feasible alternative, the senior manager/officer must be directly responsible for creating a constructive learning and working environment in which subordinates are afforded appropriate instructions and guidance relative to their performance of specific duties. To achieve this, the senior official must be a role model that clearly demonstrates a thorough knowledge and understanding of prescribed procedures and regulations, excels in fulfilling objectives in accordance with such guidelines, and accepts nothing less from subordinates. He/she must be constantly alert to unique conditions in which personal judgments and the decision process are critical not only to the success of the operation, but how the activity is subsequently perceived and/or evaluated by interested parties. When involved in covert operations, the senior official must

formulate a plan that is consistent with oversight doctrine, take every precaution to prevent the occurrence of misunderstandings and mistakes, while discouraging any premeditated or inadvertent disregard of feedback mechanisms. Furthermore, subordinates that display a lack of discipline in conforming with established procedures must be dealt with immediately to preclude serious setbacks when carrying out an operation. In essence, the senior official has the professional obligation to teach and train others how to react ethically and morally whether it be in every day activities or some high-level covert situation.

BIBLIOGRAPHY

1. Executive Order No. 12575, Appendix A.
2. General Matthew B. Ridgeway, Military Review, Vol. 46, No. 10, October 1966, p. 40.
3. Hugh Tovar, Covert Action, Intelligence Requirements for the 1980's, Elements of Intelligence, National Strategy Information Center, Inc., 1979, p. 69.
4. Malcolm Wallop, Ethics and Intelligence, The Military Intelligence Community, Westview Press, 1986, p. 211.
5. Major Jack A. Pellicci, USA; Interview of Lt. Gen. John A. Heintges, USA Retired, 1974, Manuscript held by U. S. Army Military History Institute, Carlisle Barracks, Pa.
6. Nathaniel Davis, The Last Two Years of Salvador Allende, Cornell University Press, 1985.
7. Newsweek Magazine, Editorial on National Affairs, 13 July 1987, p. 18.
8. Sam C. Sarkesian, Beyond the Battlefield, The New Military Profession, New York, N.Y., Pergamon Press, 1981, p. 60.
9. Time Magazine, Editorial on National Affairs, 13 July 1987, p. 18.
10. Tower Commission, Report of the President's Special Review Board, 26 February 1987.
11. USDA FM 22-103, Professional Ethics, Leadership and Command at Senior Levels, June 1987, p. 23.
12. William E. Colby, Honorable Men: My Life in the CIA, New York, Simon and Schuster, 1978, p. 305.

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