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No. 1570

JOINT COMMITTEE ON CENTRAL
INTELLIGENCE AGENCY

REPORT

OF THE

COMMITTEE ON
RULES AND ADMINISTRATION

UNITED STATES SENATE
EIGHTY-FOURTH CONGRESS
SECOND SESSION

TO ACCOMPANY

S. Con. Res. 2

TOGETHER WITH THE
INDIVIDUAL VIEWS OF MR. HAYDEN



FEBRUARY 23 (legislative day, FEBRUARY 22), 1956.—Ordered to be printed

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Calendar No. 1595

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JOINT COMMITTEE ON CENTRAL INTELLIGENCE AGENCY

FEBRUARY 23 (legislative day, FEBRUARY 22), 1956.—Ordered to be printed

Mr. GREEN, from the Committee on Rules and Administration, submitted the following

R E P O R T

together with the

INDIVIDUAL VIEWS OF MR. HAYDEN

[To accompany S. Con. Res. 2]

The Committee on Rules and Administration, to whom was referred the concurrent resolution (S. Con. Res. 2) to establish a Joint Committee on Central Intelligence, having considered same, report favorably thereon, with amendments, and recommend that the resolution, as amended, be adopted by the Senate.

EXPLANATION OF SENATE CONCURRENT RESOLUTION 2

This concurrent resolution, sponsored by 35 Senators, would establish a joint committee of Congress to have legislative oversight of the Central Intelligence Agency.

Such committee would be composed of six Members from the Senate, and six Members from the House of Representatives. Membership on the joint committee would be limited to Senators and Representatives already serving as members of Subcommittees on the Central Intelligence Agency of the Committees on Appropriations and Armed Services in both branches of Congress.

These Members would select their chairman and staff and have full cognizance and supervision over matters relating to the Central Intelligence Agency, with power to advise, inquire, and report. Staff and other committee expense for the first year was set at \$250,000 by the Rules and Administration Committee.

occupied by such a commissioned officer. The Deputy Director of Central Intelligence shall act for, and exercise the powers of, the Director during his absence or disability.

The Director of Central Intelligence, in the performance of his responsibility, receives pertinent information from all branches of the Government engaged in the collection of intelligence, including the Atomic Energy Commission. He gives advice and recommendations to the National Security Council on such matters. The function of the National Security Council is to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

The report "Intelligence Activities" (a report to Congress from the Commission on Organization of the Executive Branch of the Government, Washington, D. C., June 1955) prepared by a task force under the chairmanship of Gen. Mark W. Clark, The Citadel, S. C., comments on the establishment of CIA as follows:

The CIA well may attribute its existence to the surprise attack on Pearl Harbor and to the postwar investigation into the part intelligence or lack of intelligence played in the failure of our military forces to receive adequate and prompt warning of the impending Japanese attack.

That investigation of events leading up to the "day of infamy" impressed upon Congress the fact that information necessary to anticipate the attack actually was available to the Government; but that there was no system in existence to assure that the information, properly evaluated, would be brought to the attention of the President and his chief advisers so that appropriate decisions could be made and timely instructions transmitted to the interested military commanders.

It also demonstrated that in the prewar Government organization no single official was responsible for whatever failure of intelligence was involved; and the blame for the military surprise fell, justly or unjustly, on the military commanders present and immediately involved in the debacle.

Therefore, in 1947, when legislation for a national intelligence organization was being considered, there was a widespread feeling among Members of the Congress that responsibility for the coordination of the production of national intelligence, as distinguished from departmental intelligence, and for its dissemination, must be centered at one point.

Creation of the Central Intelligence Agency, with its Director charged with the coordination of the intelligence effort, was authorized to fill this need * * *.

III. THE CIA ACT OF 1949

The Central Intelligence Agency Act of 1949 (Public Law 110, 81st Cong., 1st sess., approved June 20, 1949; 63 Stat. 208) followed 2 years later to strengthen CIA administration. This act dealt with such matters as procurement, travel, allowances, and related expenses. It contained an alien-admission clause to aid the Nation's intelligence mission. The statute further gave protection to the confidential nature of the Agency's functions, and allowed special instruction of Agency personnel. Among other provisions were these:

SEC. 7. In the interests of the security of foreign intelligence activities of the United States and in order further to implement the proviso of section 102 (d) (3) of the National Security Act of 1947 (Public Law 253, Eightieth Congress, first session) that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from authorized disclosure, the Agency shall be exempted from the provisions of sections 1 and 2, chapter 795 of the Act of August 28, 1935 (49 Stat. 956, 957; 5 U. S. C. 654), and the provisions of any other law which requires the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: *Provided*,

the lack of an adequate top-level evaluation board or section, whose duties are confined solely to the evaluation of intelligence, with no responsibilities for general policy or administrative matters.

The Eberstadt Task Force recommended:

* * * That vigorous efforts be made to improve the internal structure of the Central Intelligence Agency and the quality of its product * * *; that there be established within the Agency at the top echelon an evaluation board or section composed of competent and experienced personnel who would have no administrative responsibilities, and whose duties would be confined solely to intelligence evaluation.

Six years later another task force (the Clark Task Force) was also recommending efforts to improve the internal structure of the CIA and the quality of its product.

III. THE SPECIAL COMMITTEE

On this special committee the New York Times Magazine of May 27, 1951, reported, as follows:

A special committee of three civilians of extensive wartime experience in intelligence—Allan W. Dulles, William H. Jackson, and Mathias F. Correa, which was appointed to study CIA operations, found much cause for dissatisfaction. Continued demands for improvement led to the appointment in 1950 of Lt. Gen. W. Bedell Smith as Director. * * *

IV. GENERAL DOOLITTLE'S GROUP

Another comparable board of consultants was also set up by the White House later on in 1954. Announced publicly for the first time on October 14, 1954, as a group charged with investigating the secret operations of the CIA, this was a board of four men headed by Lt. Gen. James H. Doolittle and included, in addition, William D. Franke, Assistant Secretary of the Navy; Morris Hadley, New York attorney; and William D. Pauley, former Ambassador to Brazil.

Publication of the activities of the Doolittle group occurred 3 days before the first meeting of the Clark Task Force group, already named by act of Congress to conduct a similar study. The Doolittle studies had, however, been under way for some time. This apparent duplication of effort led to the following comment in the New York Times of October 14, 1954:

There was some feeling among intelligence circles yesterday that the two investigations represented some duplication and overlapping, and that some friction had developed, or might develop. This was said to be partly because one investigation, that of General Clark, stemmed from legislative, or congressional, authorization, whereas the other—that of General Doolittle—represented the executive branch of Government.

In any case informed circles agreed that the investigations probably meant that both Congress and the executive department were determined to improve the Government's intelligence operations and evaluations.

Experts believe much progress has been made in the development of global intelligence services but some "leaks" and failures—some of which are inevitable in any intelligence service—and several recent events have caused some anxiety.

They include the arrest of Mr. [Joseph S.] Petersen, who handled what was known in World War II as "Magic"—the information gathered by breaking the codes of foreign nations; the defection to the Communists of Dr. Otto John, head of Western Germany's secret service; the earlier but possibly not related defections of the British diplomats, Guy F. DeMoney Burgess and Donald D. MacLean; the case of British atomic physicist Dr. Klaus Fuchs now in prison as a traitor; and the amazing network of intrigue, espionage, and counterespionage recently revealed in high places in the French Government.

the President and was not considered by the Commission because of its extremely sensitive content.

An extract from the unclassified Clark report says:

Recommendations covering overseas counterintelligence operations, carried out by the military services and the Central Intelligence Agency, are contained in our classified report.

From this it is apparent that many pertinent facts about CIA's overseas functionings were lost to the comment of the full Hoover Commission. More importantly, it would appear this was also true of the task force findings on overall CIA organization. A recommendation to the Commission by the task force that the CIA be reorganized internally carries this footnote:

Details and supporting factual matter relating to this recommendation are contained in the separate classified report of the task force. They cannot be incorporated in this report for security reasons.

The unclassified report of the Clark Task Force was published in the Commission's report to Congress. It makes pertinent recommendations about CIA that may be discussed and considered.

1. Recommendations

The Clark Task Force made nine principal recommendations. Succinctly stated, they are as follows:

1. That the Central Intelligence Agency be reorganized internally to produce greater emphasis on certain of its basic statutory functions, and that the Director of CIA employ an executive officer or "chief of staff" of that Agency.

2. That a small, permanent, bipartisan commission, composed of Members of both Houses of the Congress and other public-spirited citizens commanding the utmost national respect and confidence, be established by act of Congress to make periodic surveys of the organization, functions, policies, and results of the Government agencies handling foreign intelligence operations; and to report, under adequate security safeguards, its findings and recommendations to the Congress, and to the President, annually and at such other times as may be necessary or advisable. This "watchdog" commission would be empowered by law to demand and receive all information needed for its use and would be patterned after the Hoover Commission.

3. That increases be made in the salaries of the Director and other key employees of CIA, and that additional medical, hospital, and statutory leave benefits be accorded CIA employees on overseas duty.

4. That the CIA be authorized to employ other retired military personnel without regard to the laws limiting their compensation.

5. That all intelligence agencies recheck the security status of all personnel at intervals not to exceed 5 years.

6. That responsibility for procurement of foreign publications and for scientific intelligence be transferred from the State Department to CIA.

7. That Congress appropriate funds for adequate CIA headquarters in or near Washington, D. C.

8. That methods for selection of the coordinating committee members on atomic energy intelligence be made highly selective.

9. That a comprehensive coordinated program be developed to expand linguistic training in the overall intelligence effort.

(d) *Public relations.*—

The task force feels that the American people can and should give their full confidence and support to the intelligence program, and contribute in every possible way to the vital work in which these agencies are engaged.

* * * * *
One of the aims [should be] the creation of a compact commission * * * to keep the public assured of the essential and trustworthy accomplishments of our intelligence forces, and to enlist public support and participation in the intelligence effort.

* * * * *
Action of this sort is needed to promote a general awareness and appreciation among the people of the significance and objectives of the intelligence program. *There is a corollary demand* for clarification of misunderstandings which have arisen in the public mind, largely as a result of the misapplication of secrecy. [Emphasis supplied.]

(e) *Congressional affairs.*—

The task force further is concerned over the absence of satisfactory machinery for surveillance of the stewardship of the CIA. It is making recommendations which it believes will provide the proper type of "watchdog" commission as a means of reestablishing that relationship between the CIA and the Congress so essential to and characteristic of our democratic form of government, *but which was abrogated by the enactment of Public Law 110 and other statutes relating to the agency.* It would include representatives of both Houses of Congress and of the Chief Executive. Its duties would embrace a review of the operations and effectiveness, not only of the CIA, but also of all other intelligence agencies. [Emphasis supplied.]

The task force report adds:

The task force fully realizes that the Central Intelligence Agency, as a major fountain of intelligence for the Nation, must of necessity operate in an atmosphere of secrecy and with an unusual amount of freedom and independence. Obviously, it cannot achieve its full purpose if subjected to open scrutiny and the extensive checks and balances which apply to the average governmental agency.

Because of its peculiar position, the CIA has been freed by the Congress from outside surveillance of its operations and its fiscal accounts. There is always a danger that such freedom from restraints could inspire laxity and abuses which might prove costly to the American people.

Although the *task force* has discovered no indication of abuse of powers by the CIA or other Intelligence agencies, it nevertheless *is firmly convinced, as a matter of future insurance, that some reliable, systematic review of all the agencies and their operations should be provided by congressional action as a checkrein to assure both the Congress and the people that this hub of the Intelligence effort is functioning in an efficient, effective, and reasonably economical manner.* [Emphasis supplied.]

Within the Armed Services Committee, there is a liaison channel between the Congress and CIA which serves a worthy purpose, but which cannot include private citizens in its membership and has not attempted to encompass the wide scope of service and continuity which this task force considers essential for "watchdog" purposes.

The task force recognizes that secrecy is necessary for proper operation of our foreign intelligence activities but is concerned over the possibility of the growth of license and abuses of power where disclosure of costs, organization, personnel, and functions are precluded by law.

On the other hand, sporadic investigations in this field might inadvertently result in unauthorized disclosure of classified information to the detriment of the intelligence effort. Periodic audits or studies by some qualified, impartial agency would remove both of these dangers and would also allay any suspicions and distrust which have developed in the public mind by the complete secrecy of these operations. Such a procedure also might serve to shield our intelligence program from unjustifiable attacks upon the agencies concerned, and enhance public confidence and support of this vital work.

The Central Intelligence Agency Act of 1949 legalized the administrative procedures for the Agency. It was passed by the Congress on the unanimous recommendation of the Armed Services Committee.

The "first" recommendation did not carry out wholly the task force recommendation for a "watchdog" commission. The Hoover Commission comment on this was specifically to the point that—

while mixed congressional and citizens' committees for temporary service are useful and helpful to undertake specific problems and to investigate and make recommendations, such committees, if permanent, present difficulties.

The "second" recommendation of the Hoover Commission, concerning a joint committee on foreign intelligence, was wholly new and arrived at independently by the Commission after a survey of the task force findings. Its mention of the current Joint Committee on Atomic Energy is especially germane.

PRESIDENT'S BOARD OF CONSULTANTS ON FOREIGN INTELLIGENCE ACTIVITIES

I. ORIGIN OF BOARD

This Board was named at the White House, on January 13, 1956, pursuant to the above recommendation of the Commission on Organization of the Executive Branch of the Government (Hoover Commission), and after consultation with the Director of Central Intelligence. Although it is slated to look into the administration of all Government foreign intelligence activities, the Board's chief concern will be with the CIA. The eight-man board was named under the authority of Executive Order 10656, title 3, dated February 8, 1956.

II. COMPOSITION OF BOARD

The Board is comprised of the following members:

Dr. James R. Killian, Jr. (chairman), president, Massachusetts Institute of Technology;
Adm. Richard L. Conolly, retired, president, Long Island University;
Lt. Gen. James H. Doolittle, Air Force in Far East, in World War II;
Benjamin F. Fairless, director and member of finance committee, United States Steel Corp.;
Gen. John E. Hull, retired, former commander Air Force in Far East, and now president, Manufacturing Chemists Association;
Joseph P. Kennedy, former Ambassador to Great Britain;
Robert A. Lovett, former Secretary of Defense and Under Secretary of State;
Edward L. Ryerson, chairman of executive committee, Inland Steel Corp.

III. EXECUTIVE ORDER 10656

The Executive Order 10656, which established the President's Board of Consultants on Foreign Intelligence Activities, was issued by the President on February 6, 1956, and reads as follows:

By virtue of the authority vested in me as President of the United States, and in order to enhance the security of the United States and the conduct of its foreign affairs by furthering the availability of intelligence of the highest order, it is ordered as follows:

SECTION 1. There is hereby established the President's Board of Consultants on Foreign Intelligence Activities, hereinafter referred to as the President's Board. The members of the President's Board shall be appointed by the President from among persons outside the Government and on the basis of ability, experience, and knowledge of matters relating to the national defense and security, and shall

V. WHY THE BOARD, BY ITSELF, IS NOT ENOUGH

From the foregoing, several conclusions can be drawn in assessing the likely merit of the Presidential Board:

1. The Board will report its findings directly to the President. No provision is made to require the Board to maintain congressional liaison. This notwithstanding the fact that many of the findings which the President appears anxious to obtain, for example, those relating to the "handling of funds" and "general competence," fall squarely within the legislative cognizance.

2. The Board functions essentially on a schedule of semiannual meetings and operates on a per diem and travel allowance basis. There is no provision for a continuous staff, as envisioned by the Clark Task Force, capable of conducting comprehensive surveys. The Board is a part-time operation.

3. The Board will report its information, good or bad, to the President, thus strengthening the already tight control of the Executive over CIA. This, of course, would be the ultimate result only in the absence of a joint congressional committee such as is proposed in Senate Concurrent Resolution 2. The President, by creating the new Board, has given effect to the first phase of the Hoover Commission's recommendation. The second and equally imperative phase of that recommendation falls within the responsibility of Congress. That the Hoover Commission contemplated its recommendation be considered in pari materia is obvious from the language of the recommendation itself:

In such case, the two committees, one presidential and the other congressional could collaborate on matters of special importance to the national security.

Adoption of Senate Concurrent Resolution 2 would implement the Hoover Commission's "second" recommendation relating to the creation of a Joint Committee on Intelligence. It would complement the Executive Board, already appointed by the President, in conformity with the "first" recommendation of the Hoover Commission.

SELECTED COMMENTS ON THE ESTABLISHMENT OF A CONGRESSIONAL COMMITTEE TO EXERCISE LEGISLATIVE SURVEILLANCE OVER CIA

I. BY THE DIRECTOR OF CIA

By Allen W. Dulles, Director of Central Intelligence, as extracted from a feature article entitled "We Tell Russia Too Much", which appeared in the March 19, 1954, issue of United States News and World Report (at p. 67):

Question. Has it ever been published how much appropriations you have?

Answer. No, but I have seen some speculation in the press with figures which were several times exaggerated.

Question. What committees of Congress do you have to deal with regularly?

Answer. We deal with the Armed Services Committees of the Senate and the House, and we deal with both Appropriations Committees. Also we make periodic reports to the Joint Committee on Atomic Energy.

Question. Don't they show in the budget some lump sum that you use?

Answer. No.

Question. Don't you have to appear before committees in executive session and explain your operations?

Answer. I appear before a subcommittee of the Appropriations Committee and talk with them and give them a picture of the nature of the work we are doing, tell about our personnel, and where the money goes.

The parenthetical observation can be made here that neither can the security conditions under which the Joint Committee on Atomic Energy must necessarily operate be overstressed. Yet that joint committee has operated successfully for years.

II. EDITORIAL COMMENT

Two samplings of editorial comment from the public press are especially cogent.

From the New York Times of January 26, 1956:

"WATCHDOG" FOR CIA

Creation by President Eisenhower of a so-called "watchdog" board of citizens to review the Government's foreign intelligence activities, particularly those of the Central Intelligence Agency, does carry out to the letter one recommendation made by the Hoover Commission last spring. But we doubt that such a committee—even though under the distinguished chairmanship of Dr. James R. Killian, Jr., president of the Massachusetts Institute of Technology—is enough to fill the need.

What is required is not so much a part-time board of private citizens, no matter how eminent, as a permanent committee with strong congressional representation to provide some guide to broad legislative supervision of the work of the Central Intelligence Agency. Senator Mansfield, of Montana, has long advocated a joint congressional committee which would have the same relationship to the Central Intelligence Agency as the present one on atomic energy now has to the work of the Atomic Energy Commission. Once again we endorse that proposal.

We are not advocating that Congress or anyone else should interfere with the day-to-day operation of the Central Intelligence Agency. That would obviously be nonsensical. But it is not nonsensical for a responsible body of congressional leaders to be in a position to understand and to evaluate the foreign intelligence work that is carried out on behalf of the United States Government. And if such a supervisory body were established we are confident that many of CIA's troubles with Congress, based on suspicion and misunderstanding, would evaporate.

Hearings on the plan for a joint congressional committee are scheduled to begin this week. We hope that Senator Mansfield will not be deflected from his purpose.

From the Washington Post and Times Herald, of January 21, 1956:

No doubt the creation of this board and the enlargement of the House Armed Services Subcommittee were in part intended to fend off passage of Senator Mansfield's bill for a Joint Congressional Committee on Central Intelligence. Some CIA officials have been skeptical of the Mansfield proposal bill because of the difficulty of insuring that members would not attempt to direct operations or blab secrets. Perhaps the new arrangements will serve somewhat the same purpose as a congressional committee, though in this newspaper's opinion a more specific legislative link would pay dividends if a satisfactory formula could be found. At any rate, the principle of a continuing outside check on intelligence is important, and the appointment of the new board is noteworthy on this account.

THE ARGUMENT FOR A JOINT CONGRESSIONAL COMMITTEE ON THE CENTRAL INTELLIGENCE AGENCY

I. ANALOGY TO THE JOINT COMMITTEE ON ATOMIC ENERGY

Congressional oversight has always existed over atomic energy. The Joint Committee on Atomic Energy functions in an area equally sensitive as foreign intelligence. It possesses a highly specialized and competent staff in which it has full confidence. Most of the work performed by this joint committee is of the highest security classifi-

Appropriations Committees who are now cognizant of CIA affairs, and that they in turn shall select the staff, any objection predicated on control or security grounds is quickly dissipated.

III. STUDIES OF CIA BY TEMPORARY GROUPS ARE NOT SUFFICIENT

The record on CIA should now be so complete that further ad hoc boards to inquire into its functions are no longer necessary. Each survey has found inadequacies; each survey has found an Agency well aware of its shortcomings but always taking steps to correct them. The findings in the past, for the most part, were secret and were conveyed to the White House because of their security classification. If the substances of the findings were laid before Congress afterward, there was no permanent congressional staff ready to give them independent evaluation.

It is not enough that CIA be responsible alone to the White House or the National Security Council. Such responsibility should be shared with Congress in a more complete manner. Until a committee of the kind Senate Concurrent Resolution 2 proposes is established, there will be no way of knowing what serious flaws in the Central Intelligence Agency may be covered by the curtain of secrecy in which it is shrouded. As Hanson Baldwin has commented in the New York Times:

[CIA] engages in activities that, unless carefully balanced and well executed, could lead to political, psychological, and even military defeats, and even to changes to our form of government.

A congressional auditing of the CIA is compatible with the legitimate purposes of the Government. It is true that intelligence services of other major countries operate without direct control of the legislatures. This is understandable in a totalitarian government, such as the Soviet Union. It is even understandable in a parliamentary democracy, such as Great Britain, where the entire administration is part of its responsibility to the Parliament. Our form of government, however, is based on a system of checks and balances. If this system gets seriously out of balance at any point, the whole system is jeopardized and the way is open for the growth of tyranny.

IV. SECRECY, FOR SECRECY'S SAKE, INVITES ABUSE

It is agreed that an intelligence agency must maintain secrecy to be effective. If sources of information were inadvertently revealed, they would quickly dry up. Not only would the flow of information be cut off, but the lives of many would be seriously endangered. In addition, much of the value of the intelligence product would be lost if it were known that we possessed it. Secrecy for these purposes is obviously necessary.

There is, however, a profound difference between an essential degree of secrecy to achieve a specific purpose, and secrecy for the mere sake of secrecy. Once secrecy becomes sacrosanct, it invites abuse. If we accept this idea of secrecy for secrecy's sake, we will have no way of knowing whether we have a fine intelligence service or a very poor one.

Secrecy now beclouds everything about CIA, its cost, its personnel, its efficiency, its failures, its successes. An aura of superiority has been built around it. It is freed from practically every ordinary form

APPENDIX

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INDIVIDUAL VIEWS OF MR. HAYDEN

STATEMENT

Senate Concurrent Resolution 2 is based upon the mistaken and erroneous assumption that the Congress has maintained little or no control over the expenditures of the Central Intelligence Agency (CIA) and that Senators and Members of Congress who should be informed have been kept in the dark as to its activities because of a veil of secrecy imposed by the executive branch. The truth is that the Armed Services Committees of the Senate and the House of Representatives have continuously and do now maintain supervision over the operations of that Agency to an entirely adequate degree. This is made clear by quoting a paragraph from a letter addressed on January 26, 1956, to the chairman of the Senate Committee on Rules and Administration by the Senator from Georgia, Mr. Russell, who is the chairman of the Senate Committee on Armed Services:

The responsible officials in the Central Intelligence Agency have demonstrated their willingness to keep the Armed Services and Appropriations Subcommittee fully informed on the subject of the Agency's activities and operations. Although I cannot speak with authority on the extent to which all the existing subcommittees on Central Intelligence Agency carry out their functions, I do know that the subcommittee of the Senate Armed Services Committee has had periodic contact with the appropriate Central Intelligence Agency officials. At these meetings the Central Intelligence Agency representatives have candidly furnished the desired information and have responded to the specific complaints and criticisms that have been voiced in Congress and in the press. It is entirely coincidental but it happens that the Senate Armed Services Subcommittee is holding its first meeting of 1956 with Central Intelligence Agency officials on the same date that your committee has scheduled for the consideration of Senate Concurrent Resolution 2.

ARMED SERVICES COMMITTEE JURISDICTION

While no definite rule has been adopted by either body conferring jurisdiction over legislation relating to the Central Intelligence Agency upon the Armed Services Committees of the Senate and the House of Representatives, there is a clear precedent which establishes that jurisdiction. The National Security Act of 1947 created the Central Intelligence Agency and since then the 3 subsequent amendments to that act affecting the Agency have all been considered by and reported from those 2 committees.

The functions of the Central Intelligence Agency are essentially functions of an executive character in assisting the President of the United States, the National Security Council, the State Department, and the Department of Defense to carry out their responsibilities. If a joint committee of the Congress is established to supervise the work of this executive Agency, it might very well be argued that due to some failure of the standing committees of both branches of Congress properly to perform their duties, a joint committee should

reorganized so as to improve its effectiveness. It is a fact that successive commissions which have investigated the Central Intelligence Agency have disagreed with the recommendations of their predecessors. It is also a fact that the Agency has adopted legitimate recommendations made in such reports without disrupting the continuity of its organization and activities.

The majority report also shows that, as recommended in the 1955 Hoover Commission report, the President by an Executive order issued on February 6, 1956, has established a board of consultants consisting of eight distinguished citizens, outside of the Government, to keep him regularly advised on the conduct of activities in the foreign intelligence field and to report its findings at least twice a year. The imposition of another supervisory committee with jurisdiction over the Agency would only serve to complicate matters.

The Congress and the President have given the Central Intelligence Agency a most important job to do. Subcommittees of standing committees of the Congress have been created to provide for the appropriate jurisdiction of the Congress over this activity. The greatest service we can do now is to facilitate the important work of the Agency and to let it get its job done without being watchdogged to death.

THERE IS NO SECRECY FOR THE SAKE OF SECRECY

It should be emphasized, most strongly, that secrecy for secrecy's sake does not exist in, nor is it an objective of, the Central Intelligence Agency.

Such confidential and secret procedures and operations as necessarily characterize its activity are designed wholly for the security of this Nation, the saving of men's lives and the obtaining of essential information which will achieve these vital ends. There is no present evidence of any policy of secrecy having become sacrosanct. Upon the contrary, such secrecy as is being observed is appropriate and necessary.

Furthermore, I repeat that the Central Intelligence Agency is subject to congressional review by four established and fully authorized subcommittees. The first 2 of these are the subcommittees on the Central Intelligence Agency of the Senate and House Armed Services Committees; the second 2 of these are subcommittees of the Senate and House Appropriations Committees. These subcommittees seem clearly to be adequate for such a supervisory purpose and function. If they are not doing their job fully and properly, it should be brought promptly and emphatically to their attention as a more appropriate and effective means of achieving the end desired than the creation of a new joint congressional committee for such a purpose.

THE JOINT COMMITTEE STAFF

It would be almost impossible for the staff of such a joint legislative committee to function helpfully because of the high security demanded in the work of the Central Intelligence Agency. The information given to Members of Congress by officials of the Central Intelligence Agency is given to them personally and their judgment as to what may be properly reported is final.

in the formulation of the foreign policy of the United States, and in the conduct of foreign relations by the President in carrying out that policy. Any congressional action which seeks to alter the legally established relationship between the Central Intelligence Agency and the National Security Council would tend to impinge upon the constitutional authority and responsibility of the President in the conduct of foreign affairs.

The provisions of the National Security Act are a recognition by the Congress of the highly sensitive nature of Government intelligence activities. Senate Concurrent Resolution 2, if adopted, will not be submitted to the President for approval or disapproval. Consequently, any of its provisions which contravene existing law will have no mandatory effect. The existence of such provisions in a resolution agreed to by both Houses, however, would lead inevitably to continuing difficulties of construction and interpretation which would impair the continuity of sound and proper relationships between the executive and legislative branches in intelligence matters.

THE CENTRAL INTELLIGENCE AGENCY AND THE ATOMIC ENERGY COMMISSION

The Central Intelligence Agency and the Atomic Energy Commission have nothing in common except the secrecy which is required because both deal with highly classified matters of the greatest importance to the national security. Beyond that, their functions are not comparable. Through the Commission as its operator, the Government is in the manufacturing business—the business of making nuclear energy. Consequently, the Congress has a very different relationship with that Commission than any other governmental agency.

The cost of this business operation is enormous. Beginning in 1941 with the Manhattan project, financed first from the emergency fund for the President and later in various hidden amounts in appropriation bills, and continuing with the Atomic Energy Commission since 1947, appropriations have totaled \$15,202,600,000, of which \$6,806,200,000 has been expended for operations and \$8,396,400,000 has been expended for facilities. The total amount made available to the Central Intelligence Agency since it was created in 1947, is only a minor fraction of even the smallest of those vast sums.

There has been need to make only minor changes in the act creating the Central Intelligence Agency, but the problems of Atomic Energy are constantly changing. Legislation concerning the activities of the Atomic Energy Commission must be frequently brought up to date to permit it to function adequately.

The dynamics of the program for developing peacetime aspects of atomic energy have tremendous potential consequences for major aspects of national policy. The future production of electric power from coal, oil, or natural gas may be vitally affected. Atomic Energy Commission policies can give rise to conflicts of interest between various groups and individuals and the resulting issues must be subjected to legislative scrutiny. For example, bills before the Joint Committee have such subjects as construction of industrial facilities, housing at Oak Ridge and self-government at Hanford, taxation, patents, contract awards, and guaranty of uranium ore prices. No such factors relate to the conduct of foreign intelligence.