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COMMITTEE ON INTELLIGENCE OPERATIONS

JULY 14, 1966.—Ordered to be printed

Mr. FULBRIGHT, from the Committee on Foreign Relations, submitted the following

R E P O R T

[To accompany S. Res. 283]

The Committee on Foreign Relations, having had under consideration certain intelligence operations and activities of U.S. Government agencies and their impact on the foreign policy of the United States, submits an original resolution, Senate Resolution 283, authorizing the creation of a Committee on Intelligence Operations and recommends that it do pass.

PURPOSE OF RESOLUTION

The purpose of Senate Resolution 283 is to create a nine-member Committee on Intelligence Operations whose duty it would be "to keep itself fully and currently informed" of the intelligence activities of agencies of the U.S. Government "insofar as the activities of such agencies relate to foreign intelligence or counterintelligence." In effect, however, it would simply authorize the appointment of three members of the Committee on Foreign Relations to the existing Senate committee which deals with the activities of the Central Intelligence Agency. The resolution does not authorize the employment of any personnel, nor does it authorize the expenditure of any money from the contingency fund of the Senate.

PROVISIONS OF RESOLUTION

Section 1 of the resolution would authorize the creation of a committee (effective at the beginning of the 90th Congress) consisting of nine Senators to be known as the Committee on Intelligence Operations. The membership of the committee would be drawn equally from the Committees on Appropriations, Armed Services, and Foreign Relations. The chairman of each of these committees would appoint

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three members to serve on the committee, but no more than two of the Senators so appointed could be from the same political party. The chairman of the Committee on Intelligence Operations would be elected by its members.

Section 2 sets forth the duties of the committee. It states that the committee is to keep itself—

fully and currently informed of the activities of the Central Intelligence Agency, the Defense Intelligence Agency, the Bureau of Intelligence and Research of the Department of State, and other agencies of the Government insofar as the activities of such agencies relate to foreign intelligence or counterintelligence.

The committee's duties are further spelled out to include, but are not limited to—

review of intelligence and counterintelligence activities and legislative oversight of the coordination of such activities among the various agencies concerned.

Sections 3, 4, and 5 of the resolution set forth the customary provisions relating to the procedures which the committee is to follow in carrying out its duties. These deal with authority to sit, subpoena papers, take testimony, and the number of members which shall constitute a quorum. The provisions conform to those currently embodied in rule XXV of the Standing Rules of the Senate and the Reorganization Act of 1946.

Section 6 provides that the committee—

shall take special care to safeguard information affecting the national security.

It goes without saying, of course, that the committee will be expected to conduct its affairs in the strictest of confidence and, in no circumstances, should any information be divulged which would affect the security of the United States.

COMMITTEE ACTION

On January 24, 1966, Senator Eugene J. McCarthy introduced Senate Resolution 210, which provides that the Committee on Foreign Relations is authorized—

to make a full and complete study with respect to the effects of the operations and activities of the Central Intelligence Agency upon the foreign relations of the United States.

The resolution was referred to the Committee on Foreign Relations the same day, and it was discussed at some length in several subsequent committee meetings. As a result of these discussions, it was finally decided to seek agreement on an original resolution authorizing the creation of a Committee on Intelligence Operations with jurisdiction over the entire intelligence community. This resolution, which is the subject of this report, was considered by the Committee on Foreign Relations in executive session on May 5, 12, and 17, 1966. On the latter date, by a vote of 14 to 5, it was ordered reported favorably to the Senate.

CONCLUSIONS AND RECOMMENDATION

It should be emphasized that Senate Resolution 283 does not provide for an independent investigation of U.S. Government intelligence activities. On the contrary, its primary effect is to formalize existing informal arrangements by which some members of the Committee on Armed Services and the Appropriations Committee have been privy to Central Intelligence Agency activities and to add to that group three members from the Committee on Foreign Relations. A secondary effect is to provide the Senate with an instrument to deal with the entire intelligence community—something which is not now done by Congress at all.

There is no need to review here the publicized cases in which the Central Intelligence Agency has been involved in recent years. It has become apparent, however, that the Central Intelligence Agency has engaged in many types of activities which were not contemplated when it was created. These activities, in some instances, have had serious implications for U.S. foreign policy. And yet, under existing practice, the Director of the Central Intelligence Agency has not felt he was authorized to give the Committee on Foreign Relations information which it has felt was important in the discharge of its duties in the field of foreign policy.

As a matter of principle, the Committee on Foreign Relations believes selected members should be in a position to receive information regarding Central Intelligence Agency activities which influence our foreign relations with other countries and which could mean the difference between war and peace. It seems appropriate, therefore, not only that the Senate's relationship to the Central Intelligence Agency be formalized but that the Senate's Committee on Foreign Relations have equal representation with the Committees on Armed Services and Appropriations in connection with oversight of Central Intelligence Agency operations.

Senate Resolution 283 is designed to accomplish this purpose. It is the most moderate proposal on this subject which has been submitted to the Congress in recent years and one which should be acceptable to the Senate. It is not intended to reflect in any way on any Members or committees of the Senate or on the employees of the Central Intelligence Agency. Indeed, a formal committee of the type proposed should protect the CIA from uninformed public criticism by providing a more formal arrangement for Senate oversight. As is pointed out above, however, the primary purpose of the resolution is to permit three members of the Committee on Foreign Relations to participate in the deliberations of the existing informal group and, hopefully, to contribute some worthwhile suggestions regarding the activities and operations of the intelligence community. In the opinion of the 14 members of the Committee on Foreign Relations who voted to report this resolution, it is certainly not too much to ask—indeed, it is in the national interest—that three members of that committee, which is charged with the responsibility for advising the Senate on foreign policy matters, have access to the same information that is given to certain members of the Committees on Appropriations and Armed Services. Accordingly, it is recommended that the Senate approve the pending resolution at an early date.