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Senator Eugene J. McCarthy's Resolution Relating
to Intelligence Activities

CURRENT RESOLUTION

On 24 January 1966, Senator McCarthy introduced a resolution (S. Res. 210) authorizing the Committee on Foreign Relations 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," and "... report its findings upon the study and investigation authorized by this resolution, together with such recommendations as it deems advisable, to the Senate at the earliest practicable date, but no later than January 31, 1967."

MCCARTHY'S COMMENTS

In connection with this resolution, Senator McCarthy has stated that the Agency's highly secret role in the Dominican Republic, Vietnam, Cuba and other crisis areas "... has raised serious questions about the relationship of the Agency to the process of making and directing foreign policy." He added that "... undercover and paramilitary operations have a direct bearing on foreign policy and indirectly on the constitutional responsibility of Congress for defense and war."

In a press release dated 22 April 1966, Senator McCarthy is quoted as having said that "some of the things that have happened recently

have strengthened our position, such as the CIA involvement in the Michigan State University AID project." He said that the Senate Foreign Relations Committee, to whom the McCarthy resolution was referred, is "waiting for the results of some inquiries" and may press for Senate action on the matter.

According to the Senator's announcement, the investigation committee would be composed of nine members. He gave as an example of the type of recommendation which might be expected from this committee, a recommendation favoring the establishment of a permanent "watchdog" committee. He has also indicated that he believes the "investigation resolution" has a much greater chance for passage than his earlier "watchdog" resolutions. This is undoubtedly based on his assumption that a number of members who might be opposed to the more drastic action contemplated in the early resolutions would see no harm in having a temporary committee review the need for such a group.

Senator McCarthy has questioned the adequacy of the present committee jurisdiction. He feels the existing CIA Subcommittees in the Armed Services and Appropriations Committees (which meet jointly in the Senate) have not and are not reviewing CIA matters in any significant depth. He expressed some of these views before the Senate Armed Services Committee in the hearings on Mr. McCone's appointment as DCI.

PREVIOUS RESOLUTIONS

Senator McCarthy has introduced in every Congress from 1959 through the past Congress, resolutions to establish a "watchdog" committee on foreign information and intelligence. His resolutions would confer upon this joint committee Congressional jurisdiction over all "foreign information and intelligence" activities. As in the case of his present resolution, Senator McCarthy's prior proposals have been referred to the Senate Committee on Foreign Relations. That Committee has never held hearings on them. The joint committee, as proposed by Senator McCarthy would consist of seven members of the House of Representatives appointed by the Speaker of the House, and seven members of the Senate, appointed by the President of the Senate.

The joint committee resolutions would raise serious questions of congressional committee jurisdiction. For example, the intelligence branches of the military service and the CIA are presently under the jurisdiction of the Armed Services Committee while the intelligence and information branches of the State Department and USIA are under the Foreign Relations Committee. It is doubtful that these two committees would consent to relinquishing these areas of their responsibilities. It would also be assumed that the departments and agencies concerned would not look with favor on a split committee arrangement.

ISSUES INVOLVED

The new investigation resolution raises a number of important

a. Whether or not the intelligence function of the Executive Branch should be the subject of legislative "investigation.

b. Whether the present Committee jurisdiction should be changed since the Agency is and has been under the legislative oversight of the Armed Services Committees of both Houses since its establishment.

c. Whether Senator McCarthy proposes to investigate the entire intelligence community as his statement would tend to indicate, or whether his resolution would be limited to the investigation of the "operations" of CIA only.

d. As a corollary to the above points, whether the "investigation" would be conducted by the members of such a special committee in executive hearings or whether it would include investigation by staff personnel of the special committee.

ACTION WITH RESPECT TO THE CURRENT RESOLUTION

Although the Senate Foreign Relations Committee has not officially acted on S. Res. 210, this proposal has been the subject of discussion in Committee meetings. It was debated at some length at a Committee meeting of 25 January 1966. Two themes evolved: (a) that intelligence affects the formulation of foreign policy; and (b) that CIA covert operations, if there is a failure or blow up, involve foreign policy more than the military situation.

There can be little question but that Foreign Relations Committee members are aware of the Committee jurisdiction issue and are equally well aware of the ramifications involved from the standpoint of the Executive Branch. It is believed that for these reasons a sufficient number of members of this Committee have successfully avoided formal action on the resolution until other alternatives have been considered. One such alternate is a proposal which has been made by the Chairman of the Foreign Relations Committee to the Chairman of the Armed Services Committee (who is also Chairman of the CIA Subcommittee). This proposal suggests that an informal arrangement be established whereby several members of the Foreign Relations Committee (probably 3) "sit in" on the Agency's meetings and briefings of the joint meetings of the Armed Services and Appropriations CIA Subcommittees.