

LLH
H/c

OLC 75-0623
26 March 1975

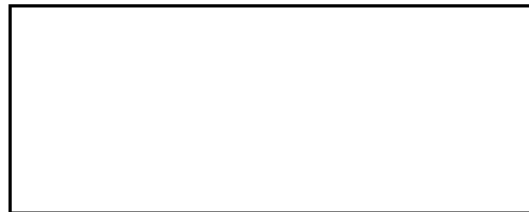
MEMORANDUM FOR THE RECORD

SUBJECT: Application of House Rule XI 27(c), now Rule XI 2(e)(2),
to Information Gathered by the House Select Committee
on Intelligence

1. House Rule XI 2(e)(2) provides:

"(2) All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the House and all Members of the House shall have access thereto."

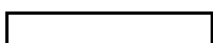
2. It is believed that enactment of section 6 of H. Res. 138 (attached) establishing the Select Committee on Intelligence, at a minimum creates a presumption that the House of Representatives has consciously directed and granted authority to the Select Committee necessary to overrule House Rule XI 2(e)(2) to prevent "disclosure, outside the select committee," (e. g., other members of the House of Representatives) of any information relating to CIA and other intelligence activities or which would adversely affect such intelligence activities abroad.



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Deputy Legislative Counsel

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"Sec. 6. (a) The select committee shall institute and carry out such rules and procedures as it may deem necessary to prevent (1) the disclosure, outside the select committee, of any information relating to the activities of the Central Intelligence Agency or any other department or agency of the Federal Government engaged in intelligence activities, obtained by the select committee during the course of its study and investigation, not authorized by the select committee to be disclosed; and (2) the disclosure, outside the select committee, of any information which would adversely affect the intelligence activities of the Central Intelligence Agency in foreign countries or the intelligence activities in foreign countries of any other department or agency of the Federal Government;

"(b) No employee of the select committee or any person engaged by contract or otherwise to perform services for the select committee shall be given access to any classified information by the select committee unless such employee or person has received an appropriate security clearance as determined by the select committee. The type of security clearance to be required in the case of any such employee or person shall, within the determination of the select committee, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by the select committee.

"(c) As a condition for employment as described in section 5 of this resolution, each person shall agree not to accept any honorarium, royalty, or other payment for a speaking engagement, magazine article, book, or other endeavor connected with the investigation and study undertaken by this committee."