

Dick Harris, and on the minority side, Harold Brayman and others, who participated in a fine presentation. I thank particularly the chairman of the committee (Mr. RANDOLPH).

Mr. ROBERT C. BYRD. Mr. President, I thank the managers of the bill on both sides of the aisle (Mr. GRAVEL and Mr. DOMENICI) and also the chairman and ranking member of the committee and other members of the committee, for the superb job they have done in managing the bill; and prior to that, for their way of conducting the hearings and marking up the bill and making it possible for the Senate to act so quickly.

Mr. GRAVEL. I thank the majority leader. I am happy to have contributed to his keeping on schedule.

Mr. BAKER. Will the Senator yield so I may join the majority leader in paying my respects to the Senator from Alaska and the Senator from New Mexico for their outstanding performance on the floor today. They successfully shepherded a controversial piece of legislation through the Senate in a remarkably short time, given the complexity of the measure. I extend to them my congratulations, as I do to the staff who assisted them in that matter.

Mr. GRAVEL. I thank the Senator and I yield the floor.

INTELLIGENCE AUTHORIZATION ACT, 1978

The PRESIDING OFFICER. Under the previous order, the Senate will turn to consideration of S. 1539, which the clerk will state.

The legislative clerk read as follows:

A bill (S. 1539) to authorize appropriations or fiscal year 1978 for intelligence activities of the U.S. Government, the Intelligence Community staff, the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. CASE. Will the Senator yield for a unanimous-consent request?

Mr. INOUE. I am happy to yield.

Mr. CASE. I ask unanimous consent that during consideration of this bill, the members of the committee staff designated by me under Senate Resolution 60 be granted the privilege of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUE. Mr. President, I ask unanimous consent that the following staff members of the Committee on Intelligence be granted the privilege of the floor during consideration of this measure and during any votes, if any, on the bill: William G. Miller, Earl D. Eisenhower, George Pickett, Daniel Childs, Michael Epstein, Mark Gitenstein, David Bushong, Elliot Maxwell, and Thomas Moore.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUE. Mr. President, this authorization bill marks an important

milestone, because this is the first time that the Senate will be able to vote specifically on moneys for intelligence activities of the United States.

During this past year, the Select Committee on Intelligence devoted a great deal of time and effort examining all aspects of the U.S. intelligence system. The Budget Authorization Subcommittee, chaired by Senator WILLIAM D. HATHAWAY, the distinguished Senator from Maine, spent many hours during the last few months reviewing in detail the intelligence community's fiscal year 1978 resource needs. This included, among other things, an item-by-item review of all covert action activities—their cost, risk, and relevance to U.S. policy.

As Members of the Senate are aware, on behalf of the committee, I sent a letter on May 17 to each Senator informing him that consistent with the provisions of Senate Resolution 400, the committee's classified report detailing the items contained in the authorization bill would be available for any Senator's review in the committee offices, G-308, Dirksen Senate Office Building. We have tried to make it possible for every Senator in the Senate to have the opportunity to review in detail the provisions contained in the authorization for intelligence activities.

(At this point, Mr. DeCONCINI assumed the chair.)

Mr. INOUE. Mr. President, the present bill before the Senate does not contain any budgetary information because the committee is prohibited from disclosing any budgetary information on U.S. intelligence activities at this time. Pursuant to Senate Resolution 400, the Senate will, at a later time determined by the leadership, take up the question of whether an aggregate figure for U.S. intelligence activities should be disclosed is in the public interest.

I want to thank the Senate Armed Services Committee and particularly Chairman JOHN STENNIS for the cooperation that he has shown in this first year of the committee's life. We have been pioneering in many respects in this first authorization. New problems arose every step of the way. Senator STENNIS and his fellow committee members were able to help us meet some of the jurisdictional problems and resolve them in a way which I think is in the best interest of the Senate.

Mr. President, it is my understanding that in the next few weeks the House will create a counterpart committee to the Senate Select Committee on Intelligence. In the event that the House does create a counterpart committee, next year the authorization bill will be referred to that committee for consideration and appropriate action. This year, however, in the absence of a House counterpart committee, the matters contained in the authorization bill were handled by the Armed Services Committee and Appropriations Committee of the House.

Senate Resolution 400 has proved to be a reasonable set of guidelines for the work of the Senate Select Committee on Intelligence. It has provided a way which makes it possible for the Senate through its designated committee to have access to necessary information to write an au-

thorization bill for necessary secret activities. Further, Senate Resolution 400 enables every Senator to have access to this information. In my view, this process is a significant step in enabling necessarily secret activities to be conducted within a constitutional framework. This is a great advance from the practice of years past.

Finally, I want to commend Senator HATHAWAY and the members of the Subcommittee on Budget Authorization for the excellent work they have done this past year in making an authorization process for the intelligence activities for the United States a practical reality.

Mr. HARRY F. BYRD, JR. Will the Senator yield?

Mr. INOUE. I am very happy to yield.

Mr. HARRY F. BYRD, JR. Mr. President, this year for the first time the Senate is considering legislation to authorize a budget for the Intelligence community. Senate Resolution 400 passed during the last Congress established the groundwork for this legislation.

I would like to commend the distinguished Senator from Hawaii (Mr. INOUE), for his leadership in this pioneering effort during this first year. I feel that the policies and procedures which he has established will enhance our intelligence capability which is so important to our national defense.

One provision of Senate Resolution 400 is especially important and I call the attention of my colleagues to subsection 3(b). This section provides that any committee chairman may request sequential referral of legislation reported by the Intelligence Committee when overlapping jurisdictions exist.

To quote specifically from Senate Resolution 400:

"(b) Any proposed legislation reported by the select committee, except any legislation involving matters specified in clause (1) or (4)(A) of subsection (a), containing any matter otherwise within the jurisdiction of any standing committee shall, at the request of the chairman of such standing committee, be referred to such standing committee for its consideration of such matter and be reported to the Senate by such standing committee within thirty days after the day on which such proposed legislation is referred to such standing committee.

Many of the matters in the bill, S. 1359, reported by the Intelligence Committee this year are within the jurisdiction of the Senate Committee on Armed Services.

However, there are two committees that worked together during the consideration of this bill and in areas of concurrent jurisdiction we are in complete agreement.

I speak today as chairman of the Subcommittee on Intelligence of the Armed Services Committee and for the chairman of the Armed Services Committee, the Senator from Mississippi (Mr. STENNIS), in saying we do not intend to ask for sequential referral of the intelligence bill to the Armed Services Committee this year.

I do want to emphasize that both the chairman of the Armed Services Committee and the chairman of the Intelligence Subcommittee, the Senator from Virginia, considers the provision in Sen-

ate Resolution 400 which permits sequential referral to be a very important provision which may be exercised in future years. It is being voluntarily waived this year.

In ending, I would like to reiterate my strong endorsement of the work done by the Senate Select Committee on Intelligence and I look forward to working even more closely next year.

Mr. BAYH. Will the Senator yield?

Mr. INOUE. Mr. President, I would like to thank my able friend from Virginia for his kind words and, once again, commend his subcommittee and commend the Committee on Armed Services for the work they have done in the past and to thank them for the cooperation they have shown this year.

They have been extremely helpful to this new baby committee and I thank them very much.

I yield to the Senator from Indiana.

Mr. BAYH. Mr. President, I would just like, as a member of the committee, to express my deep appreciation for the way in which our chairman has handled his very difficult role as chairman of the committee at a time in which there was significant question as to whether this committee could work and do its job.

I think because of his leadership we have been able to do that. I think we all owe him a debt.

Also, I would like to reiterate what he said relative to the exceptional way in which the distinguished Senator from Maine handled his responsibility which brings us to this moment with the authorization of the budget.

Mr. President, the Intelligence Authorization Act, reported by the Select Committee on Intelligence, is a landmark in the development of congressional oversight of U.S. intelligence activities. The committee, and especially Senator HATHAWAY's Budget Subcommittee, has done a thorough and responsible job in reviewing the intelligence programs for the next fiscal year. The committee's deliberations included the most sensitive activities. As a member of the committee, I strongly endorse passage of the Intelligence Authorization Act. I share the committee's view that the bill represents a reasonable balance between necessary intelligence requirements and prudent cost.

I would also like to call attention to one particular provision of the bill. Section 101(c) states:

Nothing contained in this Act shall be deemed to constitute authority for the conduct of intelligence activities which are not otherwise authorized by the Constitution and laws of the United States.

The purpose of this provision is to make sure that the executive branch does not consider the Intelligence Authorization Act as a substitute for charter legislation. The act authorizes that funds be appropriated for the conduct of certain intelligence activities. It does not authorize the activities themselves.

At present, the intelligence activities for which funds are authorized by this act rely for their legal authorization upon a combination of statutes and ex-

ecutive orders. The Select Committee on Intelligence is engaged in a comprehensive study, pursuant to the mandate of Senate Resolution 400, of the need to replace these statutes and orders with a new framework of legislative authority.

If such a legislative charter is enacted, it will be possible to key annual authorizations to its terms. This will make it easier to understand the basic elements of the programs covered by the annual authorizations. In the interim, the select committee has used very general language to describe the activities for which funds are authorized. The details have been left to a classified report available to each Senator.

I hope the Members of the Senate will understand why such a procedure was been necessary.

There is another item I think is important to discuss briefly at this time. As a member of the Select Committee on Intelligence, I voted with the majority of the members of that committee to recommend that the Senate disclose the aggregate amount of funds appropriated for national foreign intelligence activities for fiscal year 1978. I urge the Senate to adopt that recommendation in the near future. Disclosure of this aggregate amount would fulfill our constitutional obligation to publish a "regular statement and account of the receipts and expenditures of all public money." It would do so without impairing the security of the United States or the effectiveness of our intelligence community.

First of all, let me stress what the Senate is not being asked to do. The select committee does not recommend disclosure of the budgets of each of the particular intelligence agencies which fall within the aggregate amount. This solves many of the problems raised by the opponents of disclosure. For example, former CIA Director Casey argued that publication of the CIA budget at the time of development of the F-2 aircraft might have given valuable information to our adversaries. But experience demonstrates that the aggregate amount for all national foreign intelligence activities would not identify such particular new programs, so long as the figure is not broken down agency-by-agency.

Ray Cline, who served as Deputy CIA Director for Intelligence from 1962 to 1966 and later as Director of the State Department's Bureau of Intelligence and Research, has put the matter this way:

In my view, a very broad program budget giving only the total of national intelligence expenditures could be published annually without giving more than marginal advantage to foreign intelligence agencies. Our society is so open that any sophisticated espionage organization can easily determine the general dimensions of the U.S. national intelligence program.

Dr. Cline concludes—I believe correctly—that:

The marginal value of this information over and above what Soviet and other spies can now get is so small that it is less important than the gain in Congressional and public confidence in the accountability of our intelligence system that probably would

come from publication of total budget costs. In the public media these are usually grossly exaggerated.

The Senate has established two select committees to examine this matter. Both have reached the same conclusion. The committee chaired by Senator CHURCH concluded "that publication of the aggregate figure for national intelligence would begin to satisfy the Constitutional requirement and would not damage the national security." Our committee undertook to review the issues in detail and reached the same conclusion. Each committee found the arguments for continued blanket secrecy not to be persuasive, particularly when weighed against a specific constitutional principle.

If the Constitution were silent on the question of the disclosure of how the taxpayers money is spent, we might have greater leeway.

But the Constitution imposes a specific duty, and we must make every possible effort to perform it. Therefore, secret expenditures cannot be justified merely on the grounds of convenience or utility. To rest the case for secrecy on such grounds would violate one of the fundamental principals of free government—the people's right to know.

Many of my colleagues are reluctant to face this constitutional question. They take the position that it is for the Supreme Court to decide constitutional issues. But the Constitution of the United States is more than a body of law applied by the courts. It speaks directly to each branch of government. Where the courts fail to decide a question because it is not suitable for judicial determination, the other branches must make certain that their own actions conform to basic constitutional principals.

This is the case with the issue before us today. In 1974 the Supreme Court ruled that an individual taxpayer did not have standing to raise the question of intelligence budget disclosure in the judicial forum. Some have suggested that we pass legislation granting such standing to an individual taxpayer, so that the Supreme Court could resolve the issue. However, even if we did this, it would not relieve us of the primary obligation to abide by the Constitution pending a Supreme Court decision.

The Constitution imposes upon us a duty beyond our ordinary legislative responsibilities. We must consider not only our personal or political preferences, but also the basic principals which underlie our form of government and are expressed in its founding charter. Of course, as with almost every difficult Constitutional question, the answer cannot be framed in absolute terms.

The Constitution specifically recognizes the need for secret legislative action in some cases. It requires each House to publish from time to time a journal of its proceedings, "except such parts as may in their judgment require secrecy." However, where the expenditure of public money is at stake, no similar restriction upon publication is mentioned. This accords with the belief that the people have a right to know how their taxes are being spent.

But that right, too, is not absolute. Congress is empowered to determine the exact form a "regular statement of account" shall take. In the course of our history, the Congress has used this power to preserve the secrecy of particular detailed expenditures. Although history cannot validate an unconstitutional practice, it does suggest that there is sufficient flexibility in the Constitution to allow a degree of secrecy.

The Constitution is a living document which must be interpreted to meet changing circumstances, so long as its fundamental values are kept in tact. But it is those values—and not the claims of short-run expediency—that should guide our decisions. After World War II, the great crises of international affairs led our predecessors to disregard the constitutional implications of secret expenditures for intelligence activities. The issue did not receive attention until recently. Now that we have studied the question, we have an obligation to draw the line between secrecy and disclosure with great care. I am convinced that we would be delinquent in our duty under the Constitution if we adopted a blanket policy of secrecy not based on grounds of compelling necessity.

The Intelligence Committee, on the basis of its study thus far, believes that there may be a compelling necessity for keeping secret the details of expenditures for national foreign intelligence activities. But it has concluded not only that there is no compelling necessity for keeping the aggregate amount secret, but also "that there is little or no risk to the national security posed by such disclosure."

Those who favor secrecy cite the testimony of the current Director of Central Intelligence, Admiral Turner, who admitted that "the natural inclination of every intelligence officer is to withhold as much information as is reasonable because there is a risk I never disclose . . ." But as Director of Central Intelligence, Admiral Turner is not an ordinary intelligence officer. He and the President—and we in the Senate—have a much broader perspective.

As Admiral Turner told our committee, "We are a free and open society. It is appropriate that our citizens be kept well informed of the activities of their government. They are in fact, the best oversight body in the prevention of any possible excesses of governmental action. The public's right to understand the workings of our intelligence process is a part of their being adequately informed of our governmental process. Some compromise then is necessary between the risks of giving the enemy an unnecessary advantage over us and of protecting the basic openness of our society. Accordingly, President Carter has directed that I not object to your releasing to the public, the single overall budget figure of the U.S. intelligence community."

In fact, as the committee's report points out, the President authorized the Director of Central Intelligence Turner to disclose the aggregate figure in the committee's open hearing. This was not done at our request, so that we could carefully study the possible consequences before such disclosure took place.

The question, then, is whether the Senate will fully support the efforts of

the President, Admiral Turner, and its own Select Committee on Intelligence to achieve a better balance between secrecy and disclosure than has existed in the past. The basic issue does not just involve budget disclosure. It will determine how the public views our whole approach to national intelligence problems. Are we going to draw the lines carefully, taking fully into account the requirements of the Constitution and the values of a free society? Will we take responsibility for making hard choices which do not have much political payoff? Or will we signal to the American people that national intelligence is so sacrosanct that, even when the President and the Director of Central Intelligence accept the need for change, the Senate will go back to business as usual?

Excessive secrecy was at the root of the abuses of power uncovered by the Church committee. That committee concluded in its report on "Intelligence Activities and the Rights of Americans," "secrecy should no longer be allowed to shield the existence of constitutional, legal and moral problems from the scrutiny of all three branches of Government or from the American people themselves."

Disclosure of the national intelligence budget is a step in that direction. It will help clarify the public debate by refuting exaggerated notions of intelligence expenditures. It will put into better perspective the overall function of our national intelligence programs, so that we can move on to the important task of developing a firm legislative foundation for those programs. It will build confidence in the ability of the Senate to address these major legislative responsibilities with full respect for constitutional principles.

The credibility of the executive branch is not at stake here. The President and Admiral Turner have taken themselves out of the line of criticism by agreeing to intelligence budget disclosure. Instead, the credibility of the Senate is at stake. We are in the midst of a long and difficult process of drafting and enacting charters for the U.S. intelligence agencies. That is the mandate of Senate Resolution 400, which established the Select Committee on Intelligence. We will be engaged in tough negotiations with the executive agencies over the terms of charter legislation. In these efforts we need to know that we have the support of the Senate in making hard decisions on the basis of classified or confidential information which cannot come out in public debate or when the charters reach the floor.

Mr. President, I urge my colleagues to consider these larger implications of our decision. Today we believe the oversight of intelligence activities being provided by our committee is adequate to the task. The Budget Subcommittee under Senator HATHAWAY has done an outstanding job of reviewing the programs of the agencies. Senator STEVENSON's Subcommittee on the Quality of Intelligence is conducting studies which, I believe, will contribute significantly to the improvement of the effectiveness of the intelligence community's performance. Senator HUBLESTON's Charter Subcommittee and

my Subcommittee on Intelligence and the Rights of Americans are deeply involved in the development of major new legislation. I do not want to see the momentum behind these efforts cut back. Nevertheless, this could be the effect of a decision by the Senate to disregard the select committee's recommendation on budget disclosure. The tasks we are engaged in are too important for the future of this Nation and for the long-term effectiveness of our intelligence programs for this to happen.

Mr. INOUE. I thank the Senator very much.

Mr. President, I yield to the Senator from Colorado.

Mr. HART. I thank the committee chairman.

Mr. President, I want to add my word of congratulation to the full committee chairman and to the distinguished Senator from Maine (Mr. HATHAWAY) for his efforts as chairman of the Subcommittee on the Intelligence Budget.

He devoted himself unstintingly to establishing the first comprehensive congressional review of the intelligence budget.

Not only is this the first time that Congress has reviewed the intelligence budget as a whole, this is the first time that there has even been such a budget. Until now, spending on national intelligence has been fragmented among various agencies and departments, a practice which made duplications of effort hard to identify and comparisons of various intelligence programs virtually impossible.

Because this is a new effort, the committee has moved with care and deliberation in its review of the intelligence budget. It did not attempt to set some radically different direction in intelligence or impose a new set of priorities.

Nevertheless, this first review has convinced me that the budget authorization process will become one of the Select Committee on Intelligence's most effective and valuable tools in fulfilling its mandate to provide continuing oversight. The committee review of intelligence spending, however, is not without its challenges. Let me briefly outline some of the key issues: It proved unsatisfactory to approach the intelligence budget by concentrating solely on the major items. That is because many intelligence initiatives of large potential consequences can be undertaken at relatively low cost. In short, a very small budget item could create a very large controversy. Thus the committee found itself examining small budget items that would otherwise be unlikely to receive congressional scrutiny in these days of \$400 billion annual budgets.

Intelligence also does not lend itself readily to either unit cost or similar measures of cost effectiveness. How much is an item of critical intelligence worth? A key piece of intelligence about a Soviet missile system, for example, could affect billions of dollars of our own defense spending. But that characteristic of intelligence cannot be allowed to lead to a willingness to fund collection at any cost.

The committee also found it was difficult to make budget comparisons between various means of collecting intelligence,

because both the techniques and results are so different. For example, it is difficult to measure the value of a million dollars allocated to the National Security Agency for electronic communications collection, and the same amount devoted to the more conventional human source collection which is the responsibility of the CIA. But this is the first year we have had a consolidated national intelligence budget and we can hope that the tools for making these comparisons will become more refined in the coming years.

Finally, the business of intelligence is an ongoing one so it is primarily a level-of-effort, rather than programmatic, budget.

It requires careful scrutiny to identify the key trends and then to try to reach some sort of conclusion about whether or not this is the direction in which we should be going.

Despite these problems, Mr. President, I believe that the budget review will prove its worth as one of the Senate's most effective tools for oversight and control over our intelligence operations. I close by urging the Senate support for this measure, our first authorization of the national foreign intelligence budget.

Once again, I thank the full committee chairman, the Senator from Hawaii, and the subcommittee chairman, the Senator from Maine.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. INOUE. I am happy to yield to the Senator.

Mr. CHURCH. First, I commend the distinguished chairman of the Senate Intelligence Committee for bringing this bill to the floor, and I commend other members of the committee who have been busily engaged in sorting out the work that the committee must do.

I know, from my conversations with the chairman, that the committee has addressed itself, first of all, to the question of the budget; that the committee has gone carefully through that matter, line by line, and, for the first time, has taken an overview of the money we authorize to finance the whole of the intelligence community. For this, I commend the chairman.

As the chairman knows, we have not yet had the overall figure, the aggregate figure, made public; nor does this bill contemplate doing that. Nevertheless, the issue must be faced. I know that the committee intends to place that issue before the Senate a few weeks from now. I hope that at that time the Senate recognizes that the practice of concealing this figure, in effect, both from Congress and the American people, constitutes a violation of the Constitution of the United States. It is a practice that should be stopped on that ground alone.

However, beyond the constitutional requirement for making public the expenditure of taxpayers' money, we have the testimony of every former Director of the CIA that the disclosure of the aggregate figure would constitute no serious security risk for this country. In the face of that testimony, I certainly hope that the Senate will put to an end the practice of concealment and make the

aggregate figure available to all Members of the Senate and to the public at large.

Beyond this, I say to the chairman that I think that the first priority, after the question of the budget and its proper handling has been settled, is the reforms that were so clearly shown to be needed by the investigation of the select committee, all of which have been turned over now to the permanent committee for implementation.

Many months have passed. I understand that the permanent committee has been preoccupied by considerations of the budget and has had to put its own house in order. But I express the hope that we now can move forward, once these matters have been settled, to the serious problem of considering statutory protection for the constitutional rights of American people, which were shown to be so badly disregarded by practices of these agencies in the past; and, finally, that we shall have charters that properly define the jurisdictional limits of these agencies in which we have confided so much power and which we permit to operate in so much secrecy.

After all, our first consideration must be the preservation of a free society in this country.

As one who directed the investigation of abuses in the intelligence field, I just wanted to express to the able chairman the hope that these reform measures will be considered soon and that bills will be reported to the floor in an orderly and forthcoming way.

Mr. INOUE. Mr. President, I thank my able friend for his generous remarks. I assure him that, at this moment, the special committee headed by Senator HUDDLESTON is actively working on charters and guidelines and has been at work for a year.

In fact, we were ready to report a measure a month ago, but the President of the United States requested that we lay this matter aside for the time being until he, in turn, had received a report from the intelligence agencies. The President has received this report, and we will soon be ready to enter into in-depth discussions with the Executive Office.

Mr. CHURCH. I am glad to hear that. I want the Senator to know that I speak today to praise him for the work he has done and to express the hope that that work continues to go forward and that we will begin soon to grapple with the very serious need for reform that our investigation exhibited.

Mr. HUDDLESTON. Mr. President, will the Senator yield?

Mr. INOUE. I am happy to yield to the Senator.

Mr. HUDDLESTON. Mr. President, I wish to reiterate what the distinguished chairman has stated: The Subcommittee on Charters has been active and diligent, working on individual charters for each of the entities of our intelligence community, as well as a proposal for restructuring the entire community. We have been in constant contact with the executive branch, and we are working toward what we believe will be very important pieces of legislation. These will be offered to this body before the year is over.

Mr. CHURCH. I am happy to know

that and to hear it from a Senator who was a valued member of my committee. I appreciate the importance that he would attach to that task. I look forward to the finished product. I commend him for his work.

Mr. HUDDLESTON. I thank the Senator.

Mr. President, as a member of the Select Committee on Intelligence, I add my commendation of our distinguished committee chairman, the senior Senator from Hawaii, for the outstanding work he has done. I also commend the subcommittee chairman, the junior Senator from Maine, and his ranking member, the Senator from Wyoming (Mr. WALLON) for their work on the measure we are now considering.

As has been pointed out by my colleagues, this is a historic occasion. Not only is this the first time that the Senate has been asked to authorize funds for our intelligence operations, but this is also the first time that every Member of this body has had an opportunity to review an extensive report detailing the various activities for which these funds are sought.

This is another step in the very important job we have to do to strengthen our intelligence operations, to give them the legitimacy they deserve and to bring them out of the shadows, to the extent possible consistent with the security requirements of this Nation.

We all recognize that in the world in which we live today, we have to have efficient and effective intelligence-gathering agencies. All policymakers need the information that these vital organizations supply.

We all recognize, too, there are certain activities that have occurred in the past that ought to be restrained, or restricted, or even totally eliminated. It is toward this objective that the committee continues to work.

But here today we have taken an important step assuring that these necessary and important activities are made accountable to the Senate and to the American people, and we are doing it without in any way jeopardizing the security interests of the United States.

I commend the subcommittee that has brought us to this point and I want to repeat my thanks to our distinguished chairman.

Mr. CHAFEE. Mr. President, will the Senator yield me a couple of minutes?

Mr. INOUE. I yield to the Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I would like to join in the tributes to the able work of our chairman of the Intelligence Committee on which I have the privilege of serving.

I also would like to pay tribute to the vice chairman of that committee, Senator GOLDWATER, because between these two gentlemen they run the affairs of that committee with a very even hand, and I think we can assure the Members of the Senate and the public-at-large that that committee is vigorously overseeing the intelligence community, seeing to it that both the rights of Americans, that the Senator from Idaho was concerned about, are protected, but also

seeing that we are receiving the best possible intelligence service that our Nation can provide.

So I would like to join in this tribute to the leaders of that committee and also to the chairman of the Budget Subcommittee on which I had the privilege of serving for a while, the junior Senator from Maine.

I thank the Chair.

Mr. INOUYE. I thank the Senator.

I wish to yield to the Senator from Maine, Senator HATHAWAY, my distinguished colleague, upon this historic day.

Mr. HATHAWAY. I thank the Senator.

Mr. President, first of all, I would like to thank all of those who have extended commendations. I pass on the lion's share of those commendations to the excellent staff members we had working with us in the subcommittee, both those assigned to the subcommittee and those to the full committee. I want to name the following staff members who worked with skill and dedication on this authorization process: William Miller, Earl Eisenhower, Thomas Moore, Michael Epstein, Elliot Maxwell, Jean Evans, Edward Levine, George Pickett and Dan Chilos. But I think at one time or another almost all of the members of the staff on both the subcommittee and the full committee were involved in this effort, and since it was a first-time effort on behalf of most of us, although some members of the full committee have served on the previous Church committee, it was a novel experience for us, and it took many, many hours for us to penetrate and to understand the entire intelligence community. I am not sure that all of us, including myself, know all we want to yet. Nevertheless, I think with the aid of the experts we had on our staff, we have been able to come up with an authorization that is realistic.

I would also like to extend to Chairman INOUYE, Senator GOLDWATER, Senator WALLOP and the other members of the committee my thanks for their cooperation and for their dedication for the long hours they put in through hearings and investigation as well as the markup on the bill we have before us.

(At this point Mr. BURDICK assumed the chair.)

Mr. HATHAWAY. This is the first time in the 200-year history of this body that a separate budget authorization bill has been introduced for intelligence.

This bill authorizes appropriations for those intelligence activities of the U.S. Government which serve the intelligence needs of our national policymakers, as well as certain military intelligence activities which, although integral to the military force structure, also make significant contributions to national intelligence.

This bill represents the culmination of months of detailed analysis of each of the major intelligence programs and their resource requirements. Between February and April of this year, the Budget Authorization Subcommittee undertook a series of comprehensive hearings on the fiscal year 1978 budget request. Testimony was given by all managers of intelligence organizations and activities in the Government. This included such in-

dividuals as the Director of Central Intelligence, the Attorney General, the Acting Assistant Secretary of Defense for Intelligence and the Directors of DIA, NSA, and a number of special intelligence activities.

More than 45 hours of hearings took place involving over 500 questions for the record and 1,300 pages of testimony. In addition some 2,000 pages of written program justification material was provided to the committee and its staff by the executive branch.

The committee found that understanding the scope of U.S. intelligence and making judgments on its resource needs are extremely complicated tasks, for a number of reasons that are perhaps unique to the world of intelligence:

First. The intelligence budget, although relatively small by comparison to other Government programs, is extremely complex; its activities cover a broad spectrum, ranging from normal administrative and housekeeping functions to activities requiring the application of highly sophisticated technology;

Second. Intelligence by its very nature requires a certain amount of built-in redundancy and duplication; and

Third. It is difficult to evaluate the relative value of the contribution of many activities to the national, departmental or military decisionmaking.

On the whole, the committee was persuaded that the intelligence community is well-managed and the American taxpayer is receiving a good return on his investment. The committee believes that, in general, the intelligence community is highly responsive to the needs of decisionmaking in the formulation of foreign and military policy.

The committee's budget recommendations for fiscal year 1978 provide sufficient resources to reverse the trend of the past several years, which has seen the impact of inflation erode the purchasing power of intelligence. It also provides for some growth to modernize existing capabilities and to begin certain new initiatives which will be required to keep pace with our intelligence needs in the 1980's. At the same time, the committee was not convinced that the total amount requested for fiscal year 1978 was fully warranted, and has, therefore, recommended the deferral of certain proposals and the elimination of others.

Because of the sensitivity of our intelligence operations and the potential for compromise through countermeasures by our adversaries, I cannot discuss in open sessions the details of the committee's recommendations. These have been set forth in a classified committee report which has been available for review by any Member under the provisions of Senate Resolution 400. Copies are currently available in the Vice President's Ceremonial Room just off the Senate gallery for those Members who might still want to look at them before we vote on final passage.

In summary, Mr. President, I would like to say that to a large extent we have all been exploring uncharted waters during the past year in our efforts to strengthen legislative oversight of intelligence. I am convinced that appropri-

ate mechanisms have been established to ensure effective oversight and accountability. I am equally convinced that the budget authority recommended in this bill for intelligence activities for fiscal year 1978 represents a realistic balance between needed intelligence capabilities and the cost of obtaining them.

Mr. GOLDWATER. Mr. President, will the Senator from Hawaii yield?

Mr. INOUYE. I would be very happy to yield to my vice chairman, the distinguished Senator from Arizona.

Mr. GOLDWATER. Mr. President, I cannot let this opportunity pass without commending the Senator from Hawaii. In my many years in the Senate I have served under many people in the capacity of chairman, and I never had the pleasure of serving with such a dedicated man as the Senator from Hawaii.

He understands the seriousness of intelligence; he has joined us together with a very fine staff in a way that the Senate can be proud of.

I was very happy to hear the distinguished Senator from Maine commend the intelligence community that we oversee. I do not agree entirely with a former member of the committee on which I served. We have had bad intelligence and we have been abused by intelligence, but intelligence is a necessary function during war. It is even more important during peace. We can keep peace with adequate intelligence, but we cannot keep peace nor can we expect the best out of people if we continually harass them in the press, television, and radio.

I would hope that that day has come to an end with the recognition that this committee is going to surveil everything that takes place in the intelligence community, and that we can begin to recognize the fine intelligence we have been able to provide our forces in peace and in war.

I look forward to serving a long time with my friend from Hawaii in spite of certain remarks he has made to me. I will say "Aloha" as you go home this evening.

Mr. MATHIAS. Mr. President, will the Senator yield to me?

Mr. GOLDWATER. I yield.

Mr. MATHIAS. I want to associate myself with the Senator's remarks and commend the chairman of the committee for the kind of leadership he has given us.

I would particularly like to point to the kind of emphasis he has put on the quality of intelligence, because that is, after all, the ultimate function of our committee, to make sure that this country has the quality of intelligence which makes it possible for us to carry out the duties of Government as they are defined by the Constitution of the United States.

I think the chairman has that very clearly in mind, and we are gratefully in his debt for the kind of leadership he has given the committee.

Mr. INOUYE. Mr. President, it is my good fortune and privilege to serve with the Senators from Arizona and from Maryland.

Much has been said about the good work I am supposed to have done, but needless to say, any chairman who is

successful is successful because he has a good committee.

Oftentimes we Senators have been given labels as conservative or liberal, but I found in the year of working on the Intelligence Committee these labels have very little meaning whatsoever.

I think only one label applies when we serve on this committee: Our concern for America's defense; our concern for America's security; and our concern for the rights of our citizens.

Before yielding the floor, I once again commend the subcommittee chairman, Mr. HATHAWAY, for a great job he has done for this historic moment.

Mr. WALLOP. Mr. President, will the Senator yield?

Mr. INOUYE. I yield to the Senator from Wyoming.

Mr. WALLOP. Mr. President, I shall only add my own endorsement to my colleague's remarks. It has been a particular privilege for me as a freshman Senator to have been appointed to serve on the Select Committee on Intelligence and even more so, to serve with the distinguished Senator from Maine as vice chairman of the Budget Subcommittee.

I think we have learned a great deal in our examination of the intelligence budget. We have approached the task with a considerable amount of serious thought and I believe the results of our effort has been good.

Intelligence is a critical asset to the establishment, implementation and protection of U.S. policies to provide for our national security. As such, it deserves our rigorous attention to protect and enhance its capability. It also, however, requires our constant and careful attention because of the unique and potential contradictions which can develop between the inherent need for secrecy in intelligence on the one hand and the requirements of this democratic society for open and public exchange of information about its Government and what it is doing.

This committee and this bill represent a first attempt to blend these two requirements in the legislative arena. The protection accorded to sources and methods has been impressive both to me and to others. The attention to controlling intelligence and preserving the rights and liberties of U.S. citizens have been given equal if not greater treatment by the members of this committee.

I thoroughly endorse the statements of my colleagues and feel that this bill deserves the unanimous support of the Senate.

I only wish to add my endorsement to Senator GOLDWATER'S remarks, express my own respect to Senator INOUYE as chairman of the committee, and communicate my respects to my friends and thank them very much for the work we have been able to do together.

Mr. HATHAWAY. I thank the Senator.

I return the compliment because I have enjoyed working with the Senator from Wyoming.

Mr. CASE. Mr. President, will the Senator yield?

Mr. INOUYE. I am happy to yield to the Senator from New Jersey.

Mr. CASE. Mr. President, how can a man sit in this Chamber and not join in this happy occasion?

I am not joking about it at all. It is a happy occasion. The experience we have had in getting better acquainted with each other on the committee and with the assistance of a wonderful staff, headed by Bill Miller and comprised of men and women, any one of whom we have the utmost confidence not only in their discretion but in their ability and the relationships that we are building with the executive branch are occasions for very great satisfaction and the leadership that our chairman, his subcommittee chairman, and our ranking minority member, excluding, of course, the present speaker, have provided, has been an inspiration to people who are a little bit skeptical about this whole area.

They need not be, and I hope the committee will increasingly demonstrate, and I am confident that it will, that it is possible, both to be effectively safeguarded and also not abused.

Mr. INOUYE. I thank the Senator very much.

Mr. President, I wish to yield back all of the remainder of my time.

Mr. ROBERT C. BYRD. Mr. President, I wish to join others in complimenting the chairman and the ranking minority member of the committee and members of the committee and also the chairman and the ranking minority member of the subcommittee.

I think the country is fortunate and the Senate is fortunate in having at this historic point in time the particular members who make up this extremely vital and important committee.

Having had a rather active part in the creation of the committee through the enactment of Senate Resolution 40, I take exceptional pride in the work that is being done by this committee and exceptional pride in the membership of the committee.

I believe that work of this committee, its supreme dedication to duty and to patriotism have entitled it to the esteem and high regard and respect not only of the Senate but of the country.

I salute the committee and its chairman, and may I say in my judgment the Senate and the country are in the committee's debt.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1539

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Intelligence Authorization Act for Fiscal Year 1978".

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. (a) Funds are hereby authorized to be appropriated for fiscal year 1978 for the conduct of the following intelligence activities of the United States Government, as defined in S. Res. 400, Ninety-fourth Congress, second session:

(1) activities of the Central Intelligence Agency;

(2) activities of the Defense Intelligence Agency;

(3) intelligence activities of the Office of the Secretary of Defense;

(4) intelligence activities of the National Security Agency;

(5) intelligence and intelligence-related activities of the military service;

(6) intelligence activities of the Department of State;

(7) intelligence activities of the Department of the Treasury;

(8) intelligence activities of the Energy Research and Development Administration;

(9) intelligence activities of the Federal Bureau of Investigation; and

(10) intelligence activities of the Drug Enforcement Administration.

(b) A classified report shall be prepared by the Select Committee on Intelligence of the Senate to reflect the final action of the Congress with respect to the authorization of funds for fiscal year 1978 for intelligence activities of the United States Government, including specific amounts for activities specified in subsection (a). Copies of such report shall be made available to the Committees on Appropriations of the Senate and the House of Representatives and to the appropriate entities of the Intelligence Community for which funds are authorized by this Act.

(c) Nothing contained in this Act shall be deemed to constitute authority for the conduct of any intelligence activities which are not otherwise authorized by the Constitution and laws of the United States.

TITLE II—INTELLIGENCE COMMUNITY STAFF

SEC. 201. (a) There is authorized to be appropriated for the Intelligence Community Staff for fiscal year 1978 the sum of \$8,950,000 to provide the support necessary to permit the Director of Central Intelligence to fulfill his responsibility for directing the substantive functions and managing the resources of the Intelligence Community.

(b) (1) For the fiscal year beginning October 1, 1977, the Intelligence Community Staff is authorized an end strength of 170 full-time employees. Employees of the Intelligence Community Staff may be permanent employees of such staff or employees detailed from other entities of the Intelligence Community, or may be a combination of permanent employees and employees so detailed.

(2) The Intelligence Community Staff shall comply with the guidelines and policies set forth in the Joint Statement of the Conferees filed in the Senate and the House of Representatives by the Managers on the part of the Senate and the Managers on the part of the House of Representatives with the bill (H.R. 4877 of the Ninety-fifth Congress) providing supplemental appropriations for the conduct of intelligence activities during the fiscal year 1977.

(c) Except as provided in subsection (b) and until otherwise provided by law, the activities of the Intelligence Community Staff shall be governed by the Director of Central Intelligence in accordance with the provisions of the National Security Act of 1947 (50 U.S.C. 402) and the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a-403j).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 301. (a) There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability System for the fiscal year beginning October 1, 1977, the sum of \$35,100,000.

Mr. HATHAWAY. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

NATIONAL MASS TRANSPORTATION ASSISTANCE ACT OF 1977

The PRESIDING OFFICER. The clerk will state Calendar Order No. 156, S. 208.

The assistant legislative clerk read as follows:

A bill (S. 208) to amend the Urban Mass Transportation Act of 1964 to extend the authorization for assistance under such Act, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Banking, Housing, and Urban Affairs with an amendment in the nature of a substitute.

The PRESIDING OFFICER. The time is under control on this bill.

Who yields time?

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that no time be charged against the bill today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there further morning business?

1977 WHEAT AND FEED GRAIN LOAN LEVELS

Mr. ROBERT C. BYRD. Mr. President, I understand that S. Res. 193 has been cleared on both sides for passage by unanimous consent. That is Calendar Order No. 248.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of that measure at this time.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 193) relating to the need to increase the loan levels for the 1977 crops of wheat and feed grains.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MUSKIE. Mr. President, currently on the calendar is Senate Resolution 193, a resolution that states:

That it is the sense of the Senate that the Secretary of Agriculture exercise his authority under existing law to increase loan levels for the 1977 crops of wheat and feed grains.

This resolution has major policy implications, and for that reason, as chairman of the Budget Committee, I wish to comment upon it. While Senate Resolution 193 does not require the Secretary of Agriculture to do anything to raise loan levels for wheat and feed grains on the 1977 crops, it does tell him that he ought to raise those loan levels that have already been announced and substan-

tially increase outlays for these 1977 crops. As I pointed out during the consideration of S. 275, the omnibus farm bill, only a few weeks ago, that bill as it passed the Senate will lead to a breach of the first budget resolution for fiscal 1978 by more than \$0.5 billion. Now we of the first budget resolution for fiscal come along with a sense of the Senate resolution urging more spending which was not contemplated in either the third budget resolution for fiscal 1977 or the first budget resolution for fiscal 1978. From the budget standpoint, I view this as particularly objectionable.

I would demand a rollcall vote to defeat this resolution if I thought that it would have any effect upon the actions required of the Secretary of Agriculture. However, I do not think that it will have any effect. The Secretary of Agriculture has assured me in writing that the administration does not favor this resolution. The Secretary assures me that he does not intend to go above the announced loan levels or those that may be mandated by law.

Let me just briefly point out what could occur in budget exposure if the Secretary of Agriculture chose to raise loan levels to the maximum under current law. This bill does not suggest how high he should go, but does put the Senate on record in urging he use his power to raise loan rates for the 1977 wheat and feed grains crops.

The current U.S. average market price for wheat is at the loan rate of \$2.25 per bushel. Therefore, any increase in the loan rate will increase the budget outlays in the agriculture function and will reduce U.S. exports of wheat, because it will raise the U.S. market price. If this occurs, we will have to use export subsidies to make wheat competitive in the world market.

The current loan rate on wheat is above the minimum required by law by \$0.88 per bushel. The maximum loan rate for wheat under current law, according to the report of the Senate Agriculture Committee filed with this bill, is 100 percent of parity or \$5.09 per bushel. Since this resolution sets no limitation on the loan level, the maximum budget exposure if the Secretary chose to carry out the resolution to the fullest would be about \$3 billion above current policy in fiscal year 1977 for loans and export subsidies on wheat alone, according to the Congressional Budget Office. This calculation assumes a loan level of \$5.09 per bushel. Admittedly it is not likely to happen with President Carter in the White House, and Bob Bergland as Secretary of Agriculture, but I say this to show what could happen if the Secretary chose to implement the resolution to the fullest extent of his powers. In addition, I might add, the Congressional Budget Office says that there would be an additional \$1 billion maximum budget exposure above current policy for fiscal 1978, under the same assumptions.

Increasing the loan level for the 1977 corn crop would also have major budget consequences. Although the projected average corn price for the 1977 crop is above the current loan rate of \$1.75 per

bushel, any increase in the loan rate will also risk an increase in budget outlays and perhaps also reduce the competitiveness of U.S. corn in the world market.

The current loan rate on corn is \$0.65 per bushel above the statutory minimum. The maximum loan rate under current law is 90 percent of parity. According to the report of the Senate Agriculture Committee filed with this resolution, parity for corn is \$3.49 per bushel. So if the Secretary increased the loan level for corn to 90 percent of parity, that would be \$3.14 per bushel. Since most of the 1977 crop will not be harvested until October 1977, there would be a negligible impact on the fiscal 1977 budget, but the maximum budget exposure for fiscal 1978 could be an increase of as much of \$2 billion above current policy for corn loan and export subsidies.

Because we are assured this resolution will not be implemented, and because I do not want to embarrass any colleagues concerning this resolution, I will not ask for a record vote on this resolution.

But this type of resolution is wholly inconsistent with the discipline of the budget process. I hope that we will not be faced with another such resolution which urges the administration to exceed the target levels of budget resolutions that have been agreed to by the Congress.

Mr. President, I ask unanimous consent that a letter dated June 17, 1977, from the Department of Agriculture be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 17, 1977.

HON. EDMUND S. MUSKIE,
Chairman, Committee on the Budget,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: This is to advise you that this Department opposes S. Res. 193. S. Res. 193 expresses the sense of the Senate that the Secretary should exercise his authority to increase the loan levels for the 1977 crops of wheat and feed grains.

Loan levels for 1977 crop of feed grains have already been increased substantially over those announced by the previous Administration.

The feasibility of increasing 1977 crop loan rates for wheat has also been thoroughly reviewed by the Department and others of the Executive Branch. It was concluded that a further increase in the 1977 loan rate for wheat could not be justified.

The 1977 crop wheat harvest is already in progress. Because any significant increase in loan rates would likely affect market prices, an increase in wheat loan rates at this time would be highly inequitable for wheat farmers who have already sold all or part of their 1977 wheat crop.

In view of the foregoing, we would not expect the Secretary to exercise his administrative authority to increase the 1977 crop wheat and feed grain loan rates, even if S. Res. 193 were adopted.

Sincerely,

JOHN C. WHITE,
Acting Secretary.

Mr. MUSKIE. Mr. President, I ask unanimous consent that a memorandum

S 10506

CONGRESSIONAL RECORD — SENATE

June 22, 1977

with reference to Senate Resolution 193 be printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

COMMITTEE ON THE BUDGET,
Washington, D.C.

MEMORANDUM

To: Senator MUSKIE.
From: John Giles and Dan Twomey.
Date: June 17, 1977.

Subject: S. Res. 193, a Resolution Relating to the Need to Increase the Loan Levels for the 1977 Crops of Wheat and Feed Grains.

S. Res. 193 is on the Senate Calendar. The leadership would like to move this to the unanimous consent calendar, but there is currently a Budget Committee hold on the bill.

S. Res. 193 states that it is the sense of the Senate that the Secretary of Agriculture should administratively adjust the price support program in a way that would increase outlays in FY 1977 and FY 1978. There is no comparable House resolution, and the Administration position is that no such administrative change should or will be made. The Department of Agriculture has assured you in writing that the Administration does not intend to increase the announced loan levels.

Staff recommends that you make the attached floor statement indicating your concern about the resolution's implications for the budget process. Staff recommends that you make this statement at your earliest convenience and then permit the bill to be moved to the unanimous consent calendar.

DESCRIPTION OF THE RESOLUTION

S. Res. 193 states (1) "that it is the sense of the Senate that the Secretary of Agriculture should exercise his authority under existing law to increase the loan levels for the 1977 crops of wheat and feed grains," and (2) that "the Secretary of the Senate shall transmit a copy of this resolution to the Secretary of Agriculture."

This resolution does not require Secretary Bergland to do anything and it recommends no specific increase in wheat and corn loan rates. It has policy implications as a Senate recommendation.

The resolution urges the Secretary to use discretionary authority vested in him to increase loan rates under current law (the Agriculture Act of 1949, amended by the Agriculture and Consumer Protection Act of 1973). Under that authority the Secretary could set loan rates for wheat as high as parity (\$5.09 per bushel as of May 15) and for corn as high as 90 percent of parity (\$3.14 per bushel as of May 15).

Loan rates are the support levels which eligible farmers can receive as Government loans on their crops. Farmers can either repay the loans and redeem their crops, or forfeit the crop in full satisfaction of the loan depending upon the market price and which is more advantageous. Outlays occur when the loan is made. Offsetting receipts occur when loans are repaid or when forfeited commodities are subsequently sold by the Government.

For wheat, the current, U.S. average market price is at the loan rate of \$2.25 per bushel. Any increase in the loan rate, therefore, will increase budget outlays and will reduce U.S. exports, because it will raise the U.S. price above the world price. If this occurs, export subsidies will be needed to keep wheat competitive in export channels. CBO estimates that the maximum budget exposure (above current policy) would be about \$3 billion for FY 1977 for loans and export subsidies with an additional \$1 billion in budget exposure for FY 1978 in wheat.

For corn, the projected U.S. average price for the 1977 crop is above the current rate. However, any increase in the loan rate will also increase budget outlays and perhaps also reduce the competitiveness of U.S. corn in the world market. CBO estimates that there would be no FY 1977 impact from this resolution, because most of the 1977 crop will not be harvested until October 1977, but that the maximum budget exposure (above current policy) would be \$2 billion in FY 1978. This includes both loan and export subsidies for feed grains.

The following table indicates the relevant information concerning the Secretary's authority to set loan rates for the 1977 wheat and corn crops, and possible budget impact:

	1977 crop	
	Per bushel	
Statutory minimum loan rate	\$1.37	\$.10
Announced loan rate (current level)	\$2.25	\$.75
Statutory maximum loan rate	\$5.09	\$ 1.14
Rate of increase loan outlays:		
Fiscal year 1977	(^a))
Fiscal year 1978	(^c))
Maximum budget exposure (CBO estimate):		
Fiscal year 1977	\$ 7	
Fiscal year 1978	\$ 1	\$ 2

¹ Parity.

² 90 percent of parity.

³ \$30 million per 10 cents increase.

⁴ No effect (1977 crop year begins October 1, 1977).

⁵ \$10 million per 10 cents increase.

⁶ \$50 million per 10 cents increase.

⁷ Billions.

The PRESIDING OFFICER. The question is on agreeing to the resolution. The resolution (S. Res. 193) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

Whereas a strong and vigorous agriculture is essential to the Nation's well-being;

Whereas through the Federal price support program farmers may receive loans on the wheat and feed grains they produce, thereby affording them the opportunity to exercise greater independence in their marketing operations and benefit from price increases for such commodities that often come later in the season after harvest; and

Whereas under existing law the Secretary of Agriculture is authorized to establish loan rates for wheat and feed grains at levels that protect farm income; and

Whereas the announced loan levels for the 1977 crops of wheat and corn are \$2.25 and \$1.75 per bushel, respectively: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Secretary of Agriculture should exercise his authority under existing law to increase the loan levels for the 1977 crops of wheat and feed grains.

Sec. 2. The Secretary of the Senate shall transmit a copy of this resolution to the Secretary of Agriculture.

Mr. ROBERT C. BYRD, Mr. President, I move to reconsider the vote by which the resolution was adopted.

Mr. BAKER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

Mr. ROBERT C. BYRD, Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 3849, a bill to establish qualifications for individuals appointed to the National Advisory Committee on Oceans and Atmosphere and to authorize appropriations for the Committee for fiscal year 1978.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Page 1, line 4, of the Senate engrossed amendment, strike out "15" and insert: "18".

Page 2, strike out lines 1 through 14, inclusive, of the Senate engrossed amendment, and insert: "qualified by way of knowledge and expertise in the following areas of direct concern to the Committee—

"(1) one or more of the disciplines and fields included in marine science and technology, marine industry, marine-related State and local governmental functions, coastal zone management, or other fields directly appropriate for consideration of matters of ocean policy; or

"(2) one or more of the disciplines and fields included in atmospheric science, atmospheric-related State and local governmental functions, or other fields directly appropriate for consideration of matters of atmospheric policy."

Page 2, lines 17 and 18 of the Senate engrossed amendment, strike out "5" each place it appears and insert: "6".

Page 6, line 15, of the Senate engrossed amendment, strike out "\$480" and insert: "\$520."

Mr. HOLLINS, Mr. President, earlier this session the Senate and the House passed different versions of H.R. 3849 (S. 1347), a bill to extend and modify the National Advisory Committee on Oceans and Atmosphere—NACOA. I now am pleased to announce that the relevant Senate and House committees have worked out their differences. A new version of the bill, which includes the amendments agreed upon, passed the House on June 21. It is before us today, and I urge my Senate colleagues to accept it. This agreement eliminates the need for a formal conference on H.R. 3849, and is, I believe, an excellent example of cooperation between the two Houses.

The agreement is to accept the Senate version of the bill, with three important changes.

First, the Members from the Senate and House committees suggest that the number of NACOA members be 18. The Senate version of the bill called for 15 members, the original House version called for 25.

Second, the Members propose a 1-year NACOA authorization of \$520,000. The Senate figure was \$480,000, the House number \$560,000.

Third, we propose new language on the qualifications for NACOA membership. This qualifications section is an especially important part of the NACOA bill. When NACOA first was created in 1971, it was clear that Congress wanted an advisory committee of experts and others

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ROUTING AND RECORD SHEET

SSCI
 Executive Registry
 77-1523/1

SUBJECT: (Optional)

FROM: Legislative Counsel
 6C19 HQ

EXTENSION: []

NO. *Pro Leg; NIA*

DATE: 23 JUN 1977

STAT

TO: (Officer designation, room number, and building)

	DATE	OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
1. Director	24 JUN 1977	<i>Rec'd</i>	Attached is the debate from the 22 June 1977 Congressional Record on S. 1539, the Intelligence Authorization Act of 1978. The bill was subsequently passed by the Senate. <div style="border: 1px solid black; width: 200px; height: 50px; margin: 10px 0;"></div> George L. Cary Legislative Counsel <div style="border: 1px solid black; width: 150px; height: 40px; margin: 10px 0; text-align: center;"> SSCI 77-0481/11 </div>
2.			
3.			
4.	25 JUN 1977	<i>[Signature]</i>	
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