

In spite of coverage of the vinyl-chloride hazard during the spring and summer of 1974, there was no drop in the sale of aerosol sprays. Indeed, the average consumer's appreciation of the toxicity of aerosols apparently continued to be limited to a vague awareness of the warning that appears on virtually every aerosol can—"KEEP OUT OF REACH OF CHILDREN"—which, of course, is simply an evasion of the fact that there is no way to use a household aerosol in the presence of anyone, child or adult, and keep its contents out of the human lung. Ironically, it has taken a chance discovery by two chemists who were not even investigating within their usual field of research to bring home the full extent of the aerosol hazard. For by demonstrating that inert chlorofluorocarbons, instead of vanishing harmlessly into thin air, can scar the ozone layer Rowland and Molina have shown us that we may well have succeeded in inflicting a chronic and irreversible disease upon the atmosphere, which is the very lung of the earth. For better or worse, however, they have also provided us with a valuable lesson in the crucial necessity of testing potentially harmful substances—before putting them on the market—for their consequences both in the environment and upon the human beings who will come in contact with them. (Such testing might have begun some time ago if Congress had seen fit to agree upon the Toxic Substances Control Act, which, vigorously opposed by the Manufacturing Chemists Association and other industry groups, has twice passed both houses and then been allowed to die in conference.) In the meantime, as we await the results of studies yet to be undertaken and action yet to be decided upon, it appears that we can do little more than cross our fingers and hope that somehow or other Rowland and Molina will be proved wrong.

#### ALLEGED EFFECT OF RATIFICATION OF GENOCIDE CONVENTION ON FEDERAL-STATE RELATIONS

Mr. PROXMIER. Mr. President, one of the arguments raised in opposition to Senate ratification of the Genocide Convention has been based upon the alleged effect of the Convention on Federal-State relations. It is claimed that the States will be deprived of a field of criminal jurisprudence. This concern is groundless.

Consider our form of government. The Federal Government deals with national and international questions; local matters are reserved to the States and their subdivisions. According to the Constitution, power to make treaties and to define and punish offenses against law of nations are specifically the province of the Federal Government. Article I, section 8, clause 10 gives Congress the power to provide criminal sanctions for offenses against the law of nations.

It is wholly unwarranted to say that because another offense would be added to the list of those now punishable as offenses against the law of nations, the sovereignty of State governments would be usurped by the Federal Government.

Dean Rusk, as Deputy Under-Secretary of State, addressed the issue before the special ad hoc subcommittee of the Senate Foreign Relations Committee:

Twice all of the states-members of the United Nations have declared that genocide is a matter of international concern. Twice all states-members of the United Nations have declared that genocide is a crime under

tional cooperation is needed to stop this practice and that states have a duty to put a stop to such practices within their own respective borders. In view of this history, no one can doubt that genocide is a subject within the constitutional power of the Federal Government to define and punish offenses against the law of nations.

It is unquestionably the power and the duty of the Senate to ratify the Genocide Convention.

#### SENEGAL CELEBRATES 15TH ANNIVERSARY OF INDEPENDENCE

Mr. HARTKE. Mr. President, April 4 marked the celebration of the 15th anniversary of the independence of Senegal, with whom the United States has close and friendly ties. I am thus delighted to extend to President Leopold Sedar Senghor, Prime Minister Diouf, and the people of Senegal best wishes and congratulations.

Senegal is the African country physically closest to the Western Hemisphere, serving as an air and sea crossroads for West Africa, the Americas, and Europe. Most Americans who visit Africa are likely to stop first at Senegal's modern capital, Dakar. Culturally and scientifically as well as in other areas, Senegal enjoys growing links with our own country despite barriers of language. American tourism is growing steadily as Senegal expands its facilities to accommodate the tourists seeking famous local art, crafts, dances, gracious beaches, exciting deep-sea fishing, and even a budding movie industry.

Symbolic of these widening ties and especially of Senegal's increasing scientific sophistication was the country's hosting last summer of the very large multinational GATE tropical atmosphere experiment in which aircraft and ships of over 30 nations, including the United States, United Kingdom, France, and U.S.S.R., gathered data on weather formation over a 3-month period. Over 300 Americans alone participated. President Senghor's own gifts as a world-renowned poet are widely esteemed in the United States.

Senghor, the man of peace, whose endeavors, speeches, and actions on the inter-African and international fields have always been geared to the promotion and defense of peace, prosperity, and cooperation.

As well as having received honorary degrees from a number of our most highly regarded universities, Mr. Senghor is an honorary member of the American Academy of Arts and Letters. This appreciation is felt in return as President Senghor is deeply interested in America and especially Black American culture.

Under President Senghor's leadership, Senegal has benefited since independence from political stability and steady social progress. President Senghor was reelected to a third term of office in 1973 by an overwhelming popular vote. President Senghor is a champion of national economic development through regional cooperation, and Senegal is taking a leading role in the formation of the

West African Economic Community. Inspired in part by the success of our own Tennessee Valley Authority, Senegal joined with neighboring Mauritania and Mali to form the Senegal River Development Organization—OMVS—to help provide a viable economic future for the drought-affected northern parts of Senegal.

This year Senegal, like many of its neighbors, is beginning longer range programs to overcome the serious effects of 6 years of drought, the worst Africa has known this century. Fortunately, normal rains fell last summer, easing immediate problems. Today the United States and Senegal are working together in projects, totaling at some \$6 million in American assistance, designed to improve food and animal production which was so damaged by the drought. During the height of the drought the United States contributed to Senegal 55,000 tons of emergency food grains. Our country also furnished \$1.14 million in various forms of nonfood emergency assistance and \$1.4 million for special short-term drought recovery and rehabilitation projects. Our country clearly intends to continue to extend a helping hand to Africa's drought victims, including those in Senegal, and has confidence in the ability of the Senegalese people to meet the challenge facing them.

To help provide a better future and spur diversified economic growth, Senegal has adopted a highly favorable investment code backed by a record of respecting contractual agreements second to none. A number of American firms participated in Dakar's first international trade fair, held in its new and splendid internationally designed permanent exposition convention park, in November and December 1974. This fair, which I visited and which is to be held every 2 years, was an unqualified success. The Senegalese Government puts out the welcome mat for American investors, whose imagination and know-how Senegalese leaders believe will accelerate Senegal's economic progress. The country's main export is peanuts, followed by increasingly valuable phosphate sales. Iron ore and other minerals await development as rising world prices encourage investors to seek new sources of raw materials. Senegal is already expanding its tourist, winter vegetable, fishing, and manufacturing industries, all sectors to which American managerial and technical skills can contribute. In business, as well as cultural, scientific, and social fields, ties between Senegal and the United States appear destined to multiply for the mutual benefit of the Senegalese and American people.

#### DIRECTOR COLBY'S ADDRESS TO THE ASSOCIATED PRESS

Mr. NUNN. Mr. President, from what I have read in the press, it appears that the remarks of William E. Colby, the Director of Central Intelligence, were well received Monday by those in New Orleans who attended the Associated Press annual meeting.

The thrust of what Mr. Colby said makes it clear that he is not one to hide

behind artificial secrets of the Central Intelligence Agency, but he does entreat all of us to protect "good secrets" in the interests of our Nation.

I think it is important Mr. President, that we occasionally remind ourselves that the CIA is a creature of statute, a legitimate and even indispensable institution within the executive branch of the Federal Government and that in this capacity it serves the people and the leadership of this Nation, and that its effectiveness is dependent upon its commitment and capability to protect "good secrets." For this reason, Mr. President, I ask unanimous consent to have printed in the Record the text of Mr. Colby's statement.

There being no objection, the statement was ordered to be printed in the Record, as follows:

INTELLIGENCE AND THE PRESS

(Address to the Associated Press Annual Meeting by William E. Colby)

Fellow Publishers: I presume to address you in this way to bring out a point which is not adequately perceived these days: that intelligence has changed from its old image to become a modern enterprise with many of the attributes of journalism. We collect much information in the same way you and your reporters do from open sources, such as the foreign press and radio, and those foreigners and Americans willing to talk to official American reporters, such as our Embassy officers, Defense Attaches, and CIA's clearly identified inquiring reporters here in the U.S.

Our collection process involves a lot more than these efforts, of course, but it is still the process of assembling individuals bits of information from a variety of sources, cross-checking them, and coming up with reasoned assessments and conclusions about them. I sometimes say, and not entirely in jest, that our publications have the largest staff, the smallest circulation, and the loudest advertising of any journalistic enterprise.

One of our problems, of course, is an erroneous identification of current intelligence practices with old-fashioned spy stories. Just as the image of "The Front Page" hardly fits the modern investigating reporter, so the old spy story hardly reflects the enormous contribution technology makes to modern intelligence. Some of this technology has pressed the state of the art, as in the U-2 and certain other activities of which you may have become aware. In many of these, advances had to be made in secret in order to avoid alerting foreign subjects of these capabilities so that they not frustrate them. This contribution to modern information, in a variety of fields from photography to electronics, has revolutionized intelligence, and we now can run a pictorial supplement and a technical journal about foreign weapons systems and military forces which we could only generally sketch out from indirect sources in years past.

Just as in your profession, we are faced with the problems of success—how to organize and articulate the key judgments and conclusions hidden in this explosion of raw information. For this I am pleased to say that we have adopted another attribute of the profession of journalism—the editorial board. In the early days of World War II, our country faced the problem of an instant need for knowledge of such far-off places as South Pacific Islands or the hump between India and China. We assembled from American academic circles, business circles, and journalism, staffs of experts of these areas. They then became the repository of all informa-

States Government.

This analysis staff has since developed into another unique American contribution to intelligence. At our Headquarters today, we probably have more doctors, masters, and other advanced students of complex disciplines from agricultural economics to nuclear physics than can be found in most large American universities. It is their task to separate the true from the false, the full from the half story, and the warped from the straightforward report. They produce our publications, and their reputation for independence, objectivity and integrity is as precious to them as the reputation of your profession is to you.

Am I sliding over the old-fashioned concept of clandestine intelligence or our role in political and paramilitary work abroad? No. These are a part of our intelligence function, and they do make a unique and important contribution to the safety of our country. Some things cannot be learned by the inquiring reporter or technical means. Sources within a closed and authoritarian foreign society can let us know its secrets in these days of mutual vulnerability to nuclear warfare. When defense systems take years to build, we need to know of the hostile weapon while it is being planned, as well as when it is cocked. We must understand the personal and political dynamics which can produce threats from such societies. And, there are occasions in which some quiet assistance to friends of America in some foreign country can help them withstand hostile internal pressures before they become international pressures against the United States.

But while I do not wish to slide over these activities, I do wish to point out the comparatively small proportion they play in our intelligence function and activities these days. The most important part of our mission is in the intellectual process of collecting, analyzing and presenting intelligence to assist in the important decisions our government makes about the safety of our country and the welfare of our people.

In the very function of intelligence, great changes have occurred. Intelligence no longer consists only of stealing the military secret so that the General may win a battle. Today it provides the basis for negotiations to remove or defuse military and economic threats to our country by mutual agreement rather than armed force. It thus fulfills a positive peace-keeping as well as its old defensive security role.

While I think our country has developed the best intelligence service in the world, I must warn you that it is in danger today. Intelligence by its very nature needs some secrets if its agents are to survive, if its officers are to do their work, and if its technology is not to be turned off by a flick of a switch. We in the American intelligence profession are proud of our open society; this is why we devote our lives to its service. But we also believe that this open society must be protected and that intelligence, and even secret intelligence, must play a part in that protection in the world in which we live.

There are secrets in American society. Grand jury proceedings are secret, Congressional committees meet in secret executive sessions, we have secret military capabilities, and our journalistic profession insists on its right to protect its sources. But for some reason, secrets of intelligence arouse such public fascination that the letters "CIA" can move a story only tangentially referring to CIA from the bottom of page 7 to the top of page 1.

Mr. Charles Selb, the "ombudsman" of *The Washington Post*, recently wrote a critique of what he called the "sensational lead." This referred to the wire service practice in days gone by, and he stressed that they have gone

by for the wire services today (both in the splendid Associated Press and Brand X) wherein a story would be twisted and turned in order to get a sensational lead to catch immediate reader attention.

The CIA today, I fear, fits this category of the sensational lead. If CIA were in politics, we could perhaps take solace from the politician's old story about not caring what they said about him so long as they spelled his name right. But our intelligence agency today and its service to our country are being jeopardized by its status as the nation's number one sensational lead.

Our agents abroad are questioning our ability to keep their work for us secret, work they do with us because they believe in democracy too, but work which can jeopardize their lives if revealed. Many Americans who have helped their country through its intelligence service are concerned that they will be swept into the climate of sensationalism and their businesses abroad destroyed by a revelation of their patriotic assistance to CIA. And a number of cooperative foreign officials have expressed great concern to me as to whether they can safely continue to pass their sensitive information to us in this climate of exposure. We are already seeing some of these sources withdraw from their relationship with us or constrict the information they provide us.

The foreign military attache in Washington can purchase at our newsstands information which our intelligence service must run the risk of life and death and spend hundreds of millions of dollars to obtain about his country. I do not object to this. In fact, it is one of the strengths of this great American society. But I do believe that with the benefits of our open society comes an equal responsibility to protect it by not revealing its attempts to protect itself through intelligence operations. That responsibility rests not only with the nation's intelligence service, it rests with every American. It rests especially with you, with your enormous power and freedom under our Constitution to choose which subjects to call to public attention and which ones to ignore.

I am pleased to say that in various dealings with the journalistic profession, I found much evidence of this sense of responsibility, even from some of my most severe critics. This sense of responsibility was double-bladed. Part was a receptiveness to the valid reasons why I believed certain information should be withheld from publication and consequent inevitable exposure to foreigners. Part of that sense of responsibility also involved a clear understanding that in our society the decision on this question was the journalist's, not mine, unless I could meet the Supreme Court's test of "direct, immediate and irreparable damage to our nation or its people."

Thus, on this question of intelligence and the press, I believe we Americans can quite easily agree on the general principles. It becomes difficult, however, if the story gets ahead of the capability to be responsible. For example, sometimes the journalist assumes that the story can do no harm, when, in reality, there are unrevealed facts about it which would change the journalist's mind. Some of our more critical journalists have a practice of calling the subject of a story to afford a chance of a denial or other comment. This does allow the presentation of good reasons to write the story so as to protect important secrets or even, in exceptional cases, to withhold it.

I do not have to make this appeal to this audience, as I know that your procedures would be the responsible ones. I do suggest, however, that you consider carefully whether CIA really should be the sensational lead in any story in which it is mentioned even incidentally, and thereby fan the fires of excitement about CIA and inevitably

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obscure the real nature of modern intelligence and its contribution to our country.

I do not ask that "bad secrets" be suppressed. In fact, I have exposed some of our missteps of the past. I also believe that "non-secrets" should be exposed. A "non-secret" I define as a known fact about intelligence which in the old tradition would have been kept secret, but which in our open society should no longer be withheld. The public inquiry and debate we are conducting as to the proper authority, limits, and supervision of our national intelligence effort falls into this category. But I do make a plea that "good secrets" be respected, in the interests not of intelligence but of our nation. Our people must not only be protected in today's world, they should benefit in many other ways from what modern intelligence can provide. I do not ask that the healthy adversary relationship between the press and government (and our government's intelligence structure) should be abandoned. I only ask that we Americans protect our nation's sources in the same way the journalist protects his.

#### CONGRESSIONAL CONSULTATION ON FOREIGN RELATIONS

Mr. CHURCH. Mr. President, Congress has been periodically scolded merely for exercising its constitutional role of helping shape this Nation's foreign policy. Thomas A. Dine, a former legislative assistant in my office and now a fellow at Harvard University's Kennedy Institute of Politics, points out in an article in a recent edition of the New York Times that Congress must have its say in formulating such policy.

However, as he notes, Congress lacks the personnel and resources to counter, by itself, the personnel and resources at the command of the executive branch. Consequently, what Congress lacks in staff, it must make up for in the skillful organization of its talents and allies. Mr. Dine has written a practical primer on how the smaller branch of Government can marshal and focus its advantages to compete in the formulation of foreign policy with the larger branch. Mr. President, I ask unanimous consent that his article be printed in the RECORD.

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

##### A PRIMER FOR CAPITOL HILL

(By Thomas A. Dine)

CAMBRIDGE, MASS.—President Ford and Secretary of State Kissinger want to stop Congress from interfering in the making of foreign policy.

Senators and Congressmen, however, intend to participate more in the process. A majority on Capitol Hill now sees the country's institutions and foreign policies best served by checking and balancing this and future Administrations.

For the legislative branch to exercise its constitutional foreign affairs powers effectively, it is necessary to be mindful of eight considerations.

##### 1. POINT MAN

An individual member makes a conscious decision to lead and sustain the lead on a particular foreign policy issue. To stay out in front, to be a point man, the member must acquire and display expertise on a regular basis. This is easier if the leader is an insider, although a person outside the appropriate committee can, and often does, become the focal point on certain issues.

##### 2. LEGISLATION

Law-making is policy-making. One-shot speeches or debaters' duels with high Administration officials at hearings have limited relevance. Resolutions or letters to the President or a Cabinet secretary are only nudges.

The very best way to make foreign policy is to write an alternative approach into law. The best instrument is the Congress's power—the pursestrings—and to use the power is to stop or limit a program by cutting off the flow of Federal funds. Attaching an amendment to a major bill is the most common and effective approach.

##### 3. APPEAL

Legislation must be framed so that the potential policy has political appeal. Bipartisan supporters and the Congressional leadership must be lined up, if possible; external interests must be linked to domestic ones so that the objectives of both are similar. In taking on the executive, facts and logic must be stressed. Such criticism sharpens debate and clarifies the issue. The end product, the nation's policy, will be strengthened and more broadly supported.

##### 4. INFORMATION

Developing an independent base of information is essential. The executive branch or The New York Times is frequently Congress's sole source of data during a controversy; such dependency insures ineffectiveness.

Sources may be dissidents within the bureaucracy, former Administration officials, journalists, academicians, foreign officials and groups, or domestic private-interest groups.

An effective way to develop new information is through committee investigations that use the pre-trial technique, put witnesses under oath, exercise the subpoena power, and control the flow of information. It is necessary here to show strength, sometimes by creating uncertainty over how much the committee knows. This often turns up more information.

##### 5. THE PRESS

Publicity is the great equalizer among the branches. The Washington press corps should be reached and cultivated: the Senate and House press, syndicated columnists, editorial writers. Television and radio will inevitably follow. An important internal byproduct is that such publicity becomes the only common means of communication with other members and staffs. Here The Washington Post and The Washington Star take on added importance.

##### 6. SPECIAL-INTEREST GROUPS

Outside special-interest groups should be mobilized on behalf of the issue. Such groups legitimate the alternative policy.

They provide members with forums in which to speak and organize nationwide. They also provide manpower and are helpful in collecting information as well as intelligence on members' voting positions.

##### 7. STAFF

A staff devoted to foreign policy must be developed and worked with. It is the role of staff to map out the legislative labyrinth through which the member must drive. With such a road guide, a member's inevitable involvement with other committees may never result in his losing his momentum nor getting sidetracked by the obstacles of procedural strategy. Staff members exist in a world of foreign policy substances; they are political actors, too. This is their strength and potentially their downfall. They are the vehicles that carry the alternative-policy debate cargo. They also oversee the law's implementation.

##### 8. PERSISTENCE

By perennially and persistently criticizing a policy, there is a possibility of inducing the Administration to abandon or modify a pro-

gram, or of prevailing upon a committee chairman to add statutory language requiring the executive to certify or report about a program.

Because Mr. Ford and Secretary Kissinger regard the constitutional struggle over our foreign-policy direction as interference, this procedural primer for making foreign policy on Capitol Hill may have useful application.

#### NATIONAL COMMITTEE FOR THE BICENTENNIAL ERA

Mr. PERCY. Mr. President, an extraordinarily diverse and accomplished group of Americans have joined together to help us focus on the meaning of our Nation's Bicentennial. The planning of events to commemorate our 200th birthday is well underway. In a time of severe stress across the land, it is essential that we also address ourselves to the problems and opportunities attendant to entering our third century.

The National Committee for the Bicentennial Era is making a major contribution to the dialog necessary to fulfill our intellectual obligations to this historic period. Its name, emphasizing the 13-year period devoted to developing our noble experiment in government from the Declaration of Independence to the Constitution, is particularly appropriate. Too often today our impatience to accomplish our goals leads to unnecessary frustration. The committee reminds us that, like Rome, America was not built in a day.

I ask unanimous consent that the statement of the National Committee for the Bicentennial Era, as published in a recent advertisement, be printed in the RECORD.

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

##### A BICENTENNIAL DECLARATION

This great country of ours stands at a crucial turning point in its history. We face new and serious problems and uncertainty as to the future.

Two hundred years ago, our founding fathers stood at a similar crossroads. Beset then by grave doubts, they ultimately resolved to stake everything on a handful of ideas and ideals.

They forged those ideas and ideals into founding principles and then fought to uphold them. The American Revolution brought forth a new system of government based on freedom, justice, and individual rights.

Today we are called upon to maintain and improve that system and to fulfill those principles in a world growing increasingly interdependent. We are called upon to resolve our problems in many areas such as the economy, education, the environment, equal opportunity, freedom of choice.

We, the undersigned, believe—and we feel confident we reflect the sense of the American people—that we have reached the point in our history when a second American Revolution is called for, a revolution not of violence, but of fulfillment, of fresh purposes, and of new directions.

We believe that the Bicentennial of our founding offers just such an opportunity. To realize this potential, we believe the Bicentennial must be based on four fundamentals.

Let us be inspired by our origins, and by the challenges we face.

If we are not today an inspired people, we need to be reminded that we once were, and must be again. There is high inspiration to

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### ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Acting Legislative Counsel

EXTENSION

NO.

DATE

10 April 1975

STAT

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

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

Mr. Proctor, DDI

*Eupa*

May be raised at the morning meeting.

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cc: Members of the morning meeting

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