

August 11, 1988

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so doing changed the course of American political history. His service has been unequalled, both on behalf of the people of West Virginia and those of the United States. It is with great pride that I have served with such a man, and it is a tribute to the Senate that such a man should be its leader.

THE INTELLIGENCE AUTHORIZATION ACT, FISCAL YEAR 1989

Mr. GLENN. Mr. President, last Friday, August 5, the Senate passed S. 2366, the Intelligence authorization, fiscal year 1989, by incorporating it as an amendment to the House companion measure, H.R. 4387. I wish to comment on that portion of the bill which would authorize some aspects of inspector general coverage of the CIA.

Most key Federal agencies are now subject to Inspector General [IG] and General Accounting Office [GAO] audits. These audits ensure that agency heads, as well as Congress, receive accurate and reliable information concerning the audit resolution process and the implementation of corrective action. These audits also ensure that public funds are legally spent according to their stated intent. In addition, the internal investigations of IG's examine alleged employee misconduct. Together, these reviews encouraged economical and efficient operations throughout the Federal Government.

The CIA is one of the few important Federal agencies still exempt from the statutory title 5 Inspector General audit and investigative procedures. The CIA also claims to be exempt from GAO audits.

In the absence of such objective reviews of CIA programs and operations, a group of CIA and White House officials were able to hide from Congress for months the ill-founded and apparently illegal covert action that became known as the Iran-Contra affair. In fact, the current, nonstatutory IG at the CIA, appointed by the Director of Central Intelligence, has been criticized for his failure to detect and root out this scandal.

Clearly, the CIA needs greater independent audit and investigative coverage. Had the CIA been subject to the independent oversight of the GAO or a statutory inspector general not beholden to the CIA Director, the Iran-Contra problem might have been avoided. I would, therefore, wholeheartedly support any legislative proposal to provide the CIA with truly independent audit and investigative coverage.

Indeed, during this Congress, I introduced S. 1458, the GAO-CIA Audit Act of 1987. This bill was designed to give the GAO the authority to initiate and perform audits of the CIA under strict limits, while safeguarding classified information from unauthorized disclosure. This bill would not have placed any undue burden on the CIA's ability to maintain the secrecy of its

operations, but would have made it more difficult for the Agency to hide ill-conceived or illegal activities from the scrutiny of the Intelligence Committees, to whom the GAO would report.

Unfortunately, S. 1458 was considered but never acted upon by the Senate Intelligence Committee, which instead reported the IG provisions of S. 2366.

While S. 2366 does take some helpful steps toward addressing the inadequate internal controls at the CIA, particularly the new requirement of semiannual congressional review of IG audit and investigative results, I do not believe it goes far enough in providing the type of independent internal reviews necessary to lead to early detection of either illegal CIA operations or improper Agency expenditures.

In particular, S. 2366 permits the CIA to remain exempt from the standard Federal Government procedure for IG appointment, whereby independent statutory IG's are appointed by the President and confirmed by the Senate and are subject to removal only by the President. This practice is codified in the Inspector General Act of 1978, which governs the duties and responsibilities of a majority of the current statutory IG community.

Instead, S. 2366 would authorize audits and investigations of the CIA by an inspector general who will continue to be appointed and subject to removal by the Director of Central Intelligence. This is exactly the system in place when the Iran-Contra affair occurred. It is a system that failed.

By giving the Director of Central Intelligence the power to both hire and fire the CIA inspector general, S. 2366 encourages the CIA IG to maintain a favorable relationship with the Director in order to preserve his job, rather than act as a proper independent factfinder and, when necessary, a critic of CIA programs, operations, and personnel. The obvious conclusion is that the CIA IG will remain reluctant to track unwise and perhaps illegal conduct without the explicit approval of the Office of the CIA Director himself.

The Iran-Contra scandal shows the cost of high level CIA blunders in terms of both taxpayer dollars and our Nation's credibility with the rest of the world. This affair occurred, in part, because several CIA officials, including the CIA Director himself, had the ability and the freedom to spend the millions of taxpayers' dollars at their disposal without any form of independent accounting. Congress must be informed of the nature and extent of the CIA's spending activities if congressional oversight is to have any meaning. In my view, only a presidentially appointed, Senate-confirmed inspector general at the CIA would have the necessary authority and clout to ferret out and submit such needed critical information to the CIA Director and Congress.

If the CIA continues to claim exemption from GAO auditing procedures, Congress has no way of independently verifying that the funding that has been provided for covert activities has indeed been spent accordingly. Congress does not have the personnel, the expertise, or, quite frankly, the time to doggedly pursue periodic audits and investigations of CIA programs and operations. Despite the best efforts of the Intelligence Committee and its limited staff, Congress will continue to be forced to accept the CIA's word that its disposition of taxpayers' money for covert activities is proper. GAO oversight would significantly diminish this problem. Therefore, I encourage my colleagues on the Intelligence Committee to favorably act on my bill, S. 1458.

In the meantime, I believe that Congress should authorize a presidentially appointed, Senate-confirmed CIA inspector general to detect fraud and abuse and promote economy and efficiency within that Agency. I strongly believe that the traditional IG selection process that includes Presidential nomination and Senate approval, rather than an internal Agency appointment, will provide Congress and the public with more objective information about CIA expenditures and activities. Unfortunately, it now appears we may have to await the next scandal before these minimal steps are taken.

IN SUPPORT OF McCAIN AMENDMENT

Mr. THURMOND. Mr. President, I supported the amendment by my good friend from Arizona, Senator McCAIN. Placing a ceiling on the number of military dependents overseas will cause an unnecessary burden on our young military personnel.

It is an established fact that a higher percentage of our young soldiers today are married than in the past. Forcing the separation of young families just to save money is unfair to these people who are serving their country overseas.

Mr. President, it is also known that in the past, when the Department of Defense attempted to restrict the numbers of dependents overseas, the policy failed because young men and women would go deeply into debt to pay for their families to join them overseas.

During that time, many soldiers were living in poverty because they could not get government quarters for their families. I for one do not want to again force that sort of hardship on the young men and women who serve our Nation.

Mr. President, we have the highest quality of personnel in the military today that we have ever had. Had this amendment failed, we will adversely impact morale and retention in the armed forces. Military service places

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enough hardship on families without the Congress adding to it. I thank all of my colleagues for their support of the amendment by Senator McCAIN.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 3:08 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 3679) to clarify the Federal relationship to the Lac Vieux Desert Band of Lake Superior Chippewa Indians as a distinct Indian tribe, to clarify the status of members of the band, to transfer title to trust lands, and for other purposes.

The message also announced that the House has passed the bill (S. 2560) to amend the Temporary Emergency Food Assistance Act of 1983 to require the Secretary of Agriculture to make available additional types of commodities, to improve child nutrition and food stamp programs, to provide other hunger relief and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

The message further announced that the House insists upon its amendments to the bill (S. 908) to amend the Inspector General Act of 1978, disagreed to by the Senate; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. BROOKS, Mr. CONYERS, Mr. SYNAR, Mr. WISE, Mr. ERDREICH, Mr. HORTON, Mr. WALKER, and Mr. CLINGER as managers of the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H.R. 3471) to establish the Veterans' Administration as an executive department; it asks a conference with the Senate on the disagreeing vote of the two Houses thereon, and appoints Mr. BROOKS, Mr. CONYERS, Mr. WEISS, Mr. NEAL, Mr. FRANK, Mr. MONTGOMERY, Mr. EDWARDS of California, Mr. HORTON, Mr. WALKER, Mr. LIGHTFOOT, and Mr. SOLOMON as managers of the conference on the part of the House.

The message further announces that the House disagrees to the amendments of the Senate to the bill (H.R. 4585) to extend the authorization of appropriations for the Taft Institute through fiscal year 1991; it asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. HAWKINS, Mr. FORD of Michigan, Mr. GAYDOS, Mr. WILLIAMS, Mr. OWENS of New York, Mr. HAYES of Illinois, Mr. PERKINS, Mr. JEFFORDS, Mr. GOODLING, Mr. COLEMAN of Missouri, and Mrs. ROUKEMA as managers of the conference on the part of the House.

The message also announced that the Speaker appoints Mr. RAHALL as a conferee in the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3051) entitled "An Act to amend the Federal Aviation Act of 1958 to establish minimum standards relating to air carrier passenger services, and for other purposes", vice Mr. Howard, deceased.

The message further announced that the House has passed the following bills and joint resolutions, in which it requests the concurrence of the Senate:

H.R. 4200. An act to authorize appropriations for fiscal year 1989 for certain maritime programs of the Department of Transportation and the Federal Maritime Commission;

H.R. 4526. An act to provide for the addition of approximately 600 acres to the Manassas National Battlefield Park; and

H.J. Res. 583. Joint resolution designating the week beginning September 11, 1988, as "National Outpatient Ambulatory Surgery Week."

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 356. A concurrent resolution providing for an adjournment of the House from August 11, 1988 to September 7, 1988 and a recess or adjournment of the Senate from August 12, 1988 to September 7, 1988.

The message further announced that pursuant to section 8002 of the Internal Revenue Code, the chairman of the Committee on Ways and Means appoints Mr. VANDER JAGT, a member of the Joint Committee on Taxation, vice Mr. Duncan, deceased.

The message also announced that pursuant to the provisions of section 403 of Public Law 100-360, the Speaker appoints as members of the U.S. Bipartisan Commission on Comprehensive Health Care the following Members on the part of the House: Mr. PEPPER, Mr. STARK, Mr. WAXMAN, Ms. OAKAR, Mr. GRADISON, and Mr. TAUKE.

The message further announced that pursuant to the provisions of Public Law 453 of the 96th Congress, the chairman of the Committee on Merchant Marine and Fisheries appoints as members of the Board of Visitors to the U.S. Merchant Marine Academy for the year 1988: Mr. DYSON, Mr. HOCHBRUECKNER, Mr. LENT,

and Mr. JONES of North Carolina, ex officio.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

At 4:12 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bills and joint resolutions:

H.R. 3431. An act to release a reversionary interest of the United States in a certain parcel of land located in Bay County, FL;

H.R. 3880. An act to extend the authorization of the Upper Delaware Citizens Advisory Council for an additional 10 years;

H.R. 4676. An act to amend the Temporary Child Care for Handicapped Children and Crisis Nurseries Act of 1986 to extend through the fiscal year 1989 the authorities contained in such act;

H.J. Res. 138. Joint resolution to authorize and request the President to issue a proclamation designating the third Sunday of August 1988 as "National Senior Citizens Day";

H.J. Res. 417. Joint resolution designating May 1989 as Neurofibromatosis Awareness Month; and

H.J. Res. 525. Joint resolution to designate the month of November 1988 as "National Hospice Month."

The enrolled bills and joint resolution were subsequently signed by the President pro tempore (Mr. STENNIS).

At 8:18 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5143. An act to waive the period of congressional review for certain District of Columbia acts authorizing the issuance of revenue bonds.

At 9:14 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House disagrees to the amendments of the Senate numbered 1 through 24 to the bill (H.R. 5026) making dire emergency supplemental appropriations for the fiscal year ending September 30, 1988, and for other purposes; and that the House recedes from its disagreement to the amendment of the Senate numbered 25 to the bill, and agrees thereto, with an amendment, in which it requests the concurrence of the Senate.

At 9:23 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 2561. An act to establish a program of grants to States to promote the provision of technology-related assistance to individuals with disabilities, and for other purposes; and

H.R. 4754. An act to amend the Pennsylvania Avenue Development Corporation Act of 1972 to authorize appropriations for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House, and for other purposes.

Under the authority of the order of the Senate of August 11, 1988, the en-