

Congress' Effort Toward 'Super-Oversight'

The anti-CIA orgy in Congress is about to take a potentially ominous new turn in the direction of super-oversight authority that could give Congress virtually equal powers with the administration in the whole field of intelligence.

This new turn is just the latest example of the headlong rush by Congress to grasp new authority over traditional executive prerogatives, fueled by Congress' own failure for decades to make rigorous use of the oversight powers it has always had over U.S. intelligence.

In preparing for six days of hearings before the Senate Government Operations Committee starting Jan. 21, committee staffers, working closely with the staff of the Senate's Select Intelligence Committee, have completed draft legislation that is deeply troubling presidential experts in the intelligence field.

Little wonder. The draft legislation (considered so sensitive that the committee staff denies its existence) would set up a new Senate standing committee of nine members with unprecedented

powers.

The heart of these powers is the right to complete information concerning "all intelligence and counterintelligence policies, programs and activities" in any way connected with the Central Intelligence Agency (CIA), the National Security Agency, the Defense Intelligence Agency (DIA), and the intelligence and counterintelligence activities centered in the State, Treasury and Justice Departments.

That would place the nine-member Senate panel, called the Committee on National Intelligence and Surveillance, in oversight control not only of the CIA, but also of the individual military service intelligence units and—most important—the Federal Bureau of Investigation (FBI).

Experts who have studied the language of the draft legislation believe it may be broad enough to give the proposed new committee advance access not only to covert intelligence operations in foreign countries but to actual, day-to-day results

of these and other, more routine operations in the intelligence-gathering area.

Considering the insatiable and unseemly appetite of congressmen and senators for the political glory that has been flowing so predictably from calculated leaks of secret intelligence information, this grant of authority over the government's world of intelligence must dry up all but the most prosaic intelligence work.

Indeed, even under the administration's present, highly limited legal obligation to inform six key congressional committees before launching any new covert intelligence operation abroad, there has been no possibility of keeping the secrets secret. Both the medium-sized CIA paramilitary aid to anti-Soviet factions in Angola and the minuscule CIA financial aid to pro-Western political parties in Italy were leaked by congressmen hostile to the policy and seeking personal gain in exposing it.

The draft legislation to be considered during the hearings later this month,

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moreover, would give the new committee "full access to the records and materials of the (Senate) select committee" on intelligence, which is due to expire later this year.

Considering the recent rash of politically inspired intelligence leaks now confounding Ford administration policymakers, such a repository of secrets would be mouth-watering. Indeed, the draft legislation deals with that fact.

If "one or more members" of the new committee suspected that another member was guilty of leaking secrets, the committee would sit in judgment and consider "appropriate action against the (offending) member." But in today's sieve-like Capitol Hill security screen, such language poses little threat.

Even if it did, the tenure of membership on the proposed new committee would mitigate it. The panel is designed for continuously rotating membership, with three of its nine members to be replaced every two years in the new Congress. The effect of this unique scheme would be to

aggrandize the power of the panel's permanent staff, a comparatively new trend throughout the whole structure of congressional power politics that deeply troubles both older members and the executive branch.

The Government Operations Committee is under Senate order to recommend a permanent intelligence oversight committee by March 1. The staff draft, which has been sent to a small list of intelligence experts for study and criticism over the signature of Sen. Abraham Ribicoff of Connecticut, the committee chairman, is far from locked in as an unchangeable proposal.

That it will be changed is certain. But its existence in present form, however well-intended, illustrates the rapid congressional advance on the executive's freedom to conduct foreign policy. That is perhaps the most dangerous single result of the tragic array of past CIA—and FBI—abuses, a result dearly welcomed in the heart of the Kremlin.