

# Intelligence 'Reform' Sent to Floor

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The House Rules Committee yesterday brushed aside a rear-guard GOP request to bottle up the first major legislative "reform" for the nation's intelligence community and cleared the measure for floor debate.

On a voice vote, the committee approved consideration of the bill—designed to impose judicial safeguards on national security wiretapping and bugging in this country—under a rule aimed at preventing surprise amendments.

House Intelligence Committee Chairman Edward P. Boland (D-Mass.) defended the approach because of the bill's complexity. Under the Rules Committee action, no floor amendments will be allowed unless they have been printed in the Congressional Record three days before the issue comes up on the House floor.

Boland said this would give the intelligence agencies a chance to study the impact of any major revisions.

Rep. Robert N. McClory (R-Ill.) charge that the legislation was being "railroaded" through the Congress. He maintained that it should be held up until the House Judiciary Committee took it up on its merits.

"This is just an unbelievable procedure . . . incomprehensible," McClory protested as a witness before the Rules Committee.

Supported by the Carter administration, including the heads of the Central Intelligence Agency, the FBI and the National Security Agency, the bill would require issuance of a judicial warrant in most foreign cases before electronic surveillance could be undertaken.

Although the warrants would be issued secretly, McClory adamantly opposed court review of the government's electronic spywork. "What if the

judge says no?" he objected. "What happens to your country?"

Rep. Morgan Murphy (D-Ill.) replied that the government was saying "no" in many cases already "because agents are afraid to undertake this duty. They're being sued." The government has for decades claimed the inherent power to carry out warrantless electronic surveillance in national security cases, but Murphy contended that the Supreme Court might well strike it down as unconstitutional unless Congress adopts legislation making the authority explicit.

The precariously balanced measure was approved by the House Intelligence Committee in May on an 8-to-2 vote, with McClory and Rep. John Ashbrook (R-Ohio) dissenting, but then it ran into stiffer opposition in the House Judiciary Committee, which has concurrent jurisdiction and where McClory is also a member.

A House Judiciary subcommittee headed by Rep. Robert W. Kastenmeier (D-Wis.) finessed the prospect of any crippling amendments being tacked on there by voting 4 to 3 last month to table the bill. That left the Intelligence Committee free to take its version to the floor.

Reminding Rules Committee members of the abuses of recent years in the name of national security, Boland emphasized the support for the measure from the top echelons of the intelligence agencies.

Rep. Bob Wilson (R-Calif.), the vice chairman of the Intelligence Committee, contended that the support was largely lip-service and that privately "many intelligence officers who can't testify" strongly oppose the bill. He told a reporter later, however, that he expects it to pass largely intact. The Senate has already passed a similar measure by a vote of 95 to 1.