

Senate Panel Drops Efforts to Obtain Intelligence Charter

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By George Lardner Jr.
Washington Post Staff Writer

The Senate Intelligence Committee decided yesterday to abandon the effort to enact a comprehensive charter this year for the CIA and the rest of the U.S. intelligence community.

Meeting in closed session, the committee agreed instead to concentrate on a slim package of measures framed along lines advocated by the CIA to protect its secrets and strengthen its hand in the new Cold War atmosphere.

Sen. Walter D. Huddleston (D-Ky.), the principal advocate of a wide-ranging charter, told reporters after the session that he had "very reluctantly" decided to give up the fight. He said talks he has had with both House and Senate leaders convinced him that a comprehensive bill, with its accompanying controls for the intelligence agencies, could not be passed.

Although no formal votes were taken, Huddleston said the committee agreed to start marking up a bill that he has drafted in recent weeks in consultation with the Carter administration.

The committee had apparently planned to keep the proposal secret, but a copy was obtained by The Washington Post and other publications.

The seven-page bill, styled the "Intelligence Accountability Act of 1980", would:

- Repeal the current law requiring prior notice of covert operations and lay down instead a general rule of prior notice to the Senate and House Intelligence committees of "significant" covert actions and other intelligence activities. But it also contains explicit exceptions sought by the administration that would allow the president to ignore the rule when, as Huddleston put it, "he thinks security demands it."

- Require after-the-fact submission of any intelligence information sought by the Senate and House Intelligence committees, including any data about illegal activities, but again subject to exceptions sought by the administration. The CIA director and other agency heads could apparently withhold details if they thought it necessary "for the protection of classified information and methods from unauthorized disclosure."

- Make it a crime for anyone who has had authorized access to such information to disclose the names of any U.S. intelligence officers or operatives who have served abroad within a 10-year period before disclosure. Offenders would be subject to five years in prison and a \$50,000 fine.

- Require each intelligence agency to establish procedures approved by the attorney general for spying on unconsenting targets in the United States and unconsenting Americans abroad. The procedures are supposed to "protect constitutional rights and privacy" but it is not clear that they will be made public. Some of the government's current guidelines are secret.

The bill is silent on the question of using Ameri-

can journalists, clergymen and academics for intelligence work and would, in effect, leave such decisions up to the CIA.

Huddleston did not describe the bill as a "mini-charter" but said its provisions simply amounted to "amendments to already existing law." In many respects, the bill resembles a measure that Sen. Daniel Patrick Moynihan (D-N.Y.) introduced in January and which critics have charged would "unleash" the CIA.

Appearing disheartened, Huddleston made his move after a reportedly inconclusive meeting Wednesday at the White House with Vice President Mondale, CIA officials and representatives of the National Security Council staff.

According to Moynihan, Huddleston also talked with House leaders who informed him "there was not any way to get a charter through at this time."

The comprehensive charter that Huddleston introduced in February ran into sharp opposition on various points from the administration, from conservatives who charged it was too restrictive, and from liberals who charged it would permit too much intrusive spying.

Moynihan said the committee was not giving up its hopes of getting a charter in the future. He also said the committee is considering open hearings on the quality of the CIA's intelligence, which Moynihan said is too often unsatisfactory.

"The problem of the CIA is not a problem of covert action," Moynihan declared. "It's a problem of analysis." He said, for example, that he had seen better assessments of the world oil situation in newspapers and newsletters than he had seen from the CIA.

The Senate committee is scheduled to begin marking up Huddleston's new bill Tuesday. He said even this will have to move rapidly to have a chance of enactment before Congress adjourns for the elections, but he observed, "this has a much better chance of moving rapidly."