

The Senate Select Committee on Intelligence

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THE SENATE has now created an 11-man special committee to make a full-scale investigation of domestic spying by the CIA—and then some. The panel will not only look at any such “illegal, improper or unethical activities” by the CIA but at such activities as may have been conducted “by any agency or by any persons . . . in carrying out any intelligence or surveillance activities by or on behalf of any agency of the Federal Government.” The committee is also directed to survey “government operations in respect to intelligence activities” to determine whether the huge intelligence apparatus of the government is performing the legitimate intelligence operations it should, whether it is doing so efficiently, and whether it is doing so in accordance with proper legislative authority and due regard for the liberties of individual citizens. All the work of the dozen or more agencies concerned with foreign and domestic intelligence is within the committee’s realm.

It is both appropriate and politically convenient that the new select committee’s scope was enlarged beyond the reach of the initial press allegations of CIA misconduct in December. Reports of other questionable instances of spying and file-keeping—by the FBI on legislators and other politicians, for instance—came to public notice and could not be ignored. There was and is an undeniable logic in treating intelligence-gathering on American citizens as a government-wide generic function, not merely as a special activity conducted by one agency. In all the years in which the official intelligence apparatus has grown, there has never been a single comprehensive congressional examination of it. Senators may also have found it politically easier to remove CIA oversight from the Armed Services Committee of Sen. John Stennis (D-Miss.), still a formidable figure, by defining the subject under investigation in terms flowing over any one committee’s normal jurisdiction.

Still, the enlargement of the subject does present certain problems to which, we trust, the new committee—chaired by Sen. Frank Church (D-Idaho)—will be sensitive.

First, the material to be studied is tremendous and complex. The committee will need start-up time and, in its initial phase, at least, it has only eight months. Its work must be organized to permit a strong focus on CIA, which is not only the agency whose conduct produced the recent public alarms but is the agency which

is at the center—or ought to be—of the government’s foreign intelligence structure. No doubt there is need to recommend certain new Executive procedures to guide the activities of the many intelligence agencies, and certain new methods of Congressional oversight, in order to preclude a repetition of whatever abuses of power and invasions of individual rights may have taken place over the years. But there is also a plain need to update the CIA’s 28-year-old legislative charter, which was drafted in circumstances very different from those that exist today. This should be a central purpose of the Church committee.

Then, it must be kept clearly in mind that public confidence in the secret agencies and operations of government cannot be adequately restored if the public is not told as much as possible about them. The inquiry should produce as much information for the public as is consistent with a reasonable regard for national security. In his public statement of Jan. 15, CIA Director William Colby set a liberal standard of disclosure which the administration must continue to meet, if not surpass. On its part, the committee should understand that its own internal discipline, in preventing leaks of material which deserve discretion, is its best method of assuring that government witnesses will be cooperative and that a full public record will be made. The House impeachment inquiry and the Senate Watergate investigation provide the do’s and don’t, respectively, for running a responsible leak-proof probe. It can be done.

Just as the “blue ribbon” CIA panel named by President Ford was accused by some of being loaded to protect the CIA, so the Church committee is coming under the attack of others for being loaded to “get” the CIA. We prefer to think that both sets of suspicions are unfounded. The Church committee has much the more important assignment, since it will be reaching far beyond the recent newspaper allegations and, since, even in respect to those, it will be checking on the work already done by the administration panel headed by Vice President Rockefeller. It is to the Congress that most citizens will look for insurance against future abuses of secret state power, and for assurances that the nation’s intelligence requirements are being properly and efficiently served. From both committees, however, the country has a right to expect performance of the highest sort.