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PAGE B6

Congress and the CIA

No more useful piece of foreign-policy legislation has been drafted since Congress got its dander up than Senator Cooper's bill requiring the Central Intelligence Agency to share its reports "fully and currently" with the military and foreign-affairs committees on Capitol Hill. "I contend," said Mr. Cooper, opening hearings, "that the Congress, which must make decisions upon foreign policy and national security, which is called upon to commit the material and human resources of the nation, should have access to all available information and intelligence to discharge properly and morally its responsibility to our government and its people." Meaning to end the practice of arbitrary CIA briefings, he would require the CIA to keep Congress as well as the Executive informed, just as the Atomic Energy Commission and Defense Department have been required to keep the Joint Atomic Energy Committee informed in that field since 1946.

It seems to us Mr. Cooper is quite right to regard the CIA—at least, that largest part of it concerned with intelligence—not as a beast needing to be tamed, as many of its critics do; not as a baby needing to be coddled, as most members of the congressional "oversight" committees do; but as an agency of disinterested specialists providing a necessary and valuable product, intelligence, which Congress has reason and right to share. Such an approach accords with the CIA's known capabilities and it accords as well with the political realities: efforts to tighten legislative oversight have traditionally failed.

Mr. Cooper has taken an undogmatic approach to such essential questions as what part of the CIA

paper factory's product should be made available, by what procedures, with what security arrangements, and so on. He hopes to avoid a constitutional challenge, noting that since Congress created the CIA, it can direct it to share its output. No substantial question of executive privilege is involved, in his view, since Congress would not be asking for the advice the President receives from his lieutenants but for the information on which the advice is based. Further hearings will explore these subissues.

The overriding point remains that Congress cannot make good decisions if it does not have good and timely information. The CIA is the logical place to look: it is charged with collating all intelligence produced within the government and, unlike the Executive departments which deal in the critical fields of weapons, military aid or arms control, it has (in those fields) no operational responsibilities and hence no incentive to shape its intelligence to fit its own departmental programs. The exemplary record of Congress in dealing with atomic energy makes it untenable to claim that Congress can't keep secrets. Anyway, everyone knows that it's the Executive branch which does most of the leaking. Regular provision of CIA information to Congress would probably tend to limit the practice of self-serving Executive leaks.

We trust the President will look sympathetically upon this bill introduced by one of the most responsible and experienced members of his own party and realize its potential advantages to the Congress and to the nation as well.