

Intelligence Panel Approves Strict Rules on Secrecy

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By Walter Pincus

Washington Post Staff Writer

The Senate Select Committee in Intelligence has adopted secrecy rules so strict that they prohibit members from passing on to other senators, even "by way of summary," non-classified information without the specific approval of a majority of its members.

William Miller, staff director of the committee, said yesterday, "The intent was not to classify those things which are public," and that perhaps some portions of the rules "maybe could be made clearer."

The rules also prohibit senators from telling their colleagues — even in confidence — what they learn in executive sessions and bar the disclosure of "the name of any witness who appeared or was called to appear" unless the committee authorizes it.

In another section, the rules bar release without committee approval of "papers or other materials to the public" or to other senators. The rule does not specify whether the material must be classified or even sensitive.

According to Miller, that broad language was designed to protect information the committee gathers itself, outside its executive branch sources, which classify their papers and documents. "This is the equivalent for us," Miller said, "since only the executive (branch) can classify documents."

The rules were drafted by Miller and other staff members, debated and amended by the committee and finally approved on June 23.

They were published in the Congressional Record last week.

Some portions of the rules, Miller said yesterday, were based on signed agreements with the CIA and other intelligence agencies, including the FBI. These agreements control the committee's access to information.

Miller emphasized, however, that no agency in the executive branch played any part in developing the Senate committee's own rules on handling testimony and information.

The select committee, which has a \$1.2 million budget, was formed to oversee all U.S. intelligence activities after its predecessor, the Church committee, documented abuses in the domestic and foreign intelligence activities of the CIA and FBI.

During Senate debate last May over formation of the intelligence panel, Sen. Dick Clark (D-Iowa) and others argued against any language that would prohibit committee members

from discussing what they learned with other Senators.

"How could you have real oversight under that situation?" Clark said at the time.

Yesterday, Clark said he had not had a chance to see the new intelligence committee rules. He recalled, however, that a senator on the committee started to talk to him about an intelligence situation recently and then stopped saying, according to Clark, "Unfortunately I am under a restriction even talking to you about what's happening."

Another rule of the committee is directed at staff employees, requiring that they "shall not discuss either the substance or procedure of the work of the committee with any person" outside the committee, even a senator who is not a committee member.

Still another rule approved by the new committee says that reports of foreign travel by committee staff members "shall not be . . . disseminated" outside the committee without approval.

Current law requires such foreign travel reports be compiled automatically and annually sent to the secretary of the Senate for publication. Miller said yesterday that an amendment to the law has been drafted "to enable this committee to have the destination of its staff travel exempted" from being made public.