

Rowland Evans and Robert Novak
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Congressional Straitjacket for the CIA

Even before the most recent exposure of charges against the Central Intelligence Agency (CIA), its freedom to conduct clandestine operations abroad had been quietly placed by Congress in a straitjacket with deeply disturbing implications for this country's security.

The straitjacket was an innocuous-appearing amendment to the foreign aid bill sponsored by Rep. Leo Ryan, an obscure, California Democrat. His amendment, requiring President Ford to report to Congress the details and justification of every secret CIA foreign operation before it can be approved, sailed through last month without visible opposition from an administration benumbed by the anti-CIA onslaught.

What makes the Ryan amendment a straitjacket for intelligence operations is its singling out the Senate Foreign Relations and House Foreign Affairs Committees among the "appropriate committees" of Congress which the President is ordered to take into his confidence.

Members of those two committees include the most vociferous critics of the CIA, particularly its clandestine operations or "department of dirty tricks." Until now, they had no regular access to intelligence secrets. Super-sensitive information had been limited to a handful of senior members of armed services and appropriations committees, making up the CIA oversight panels. Now these secrets will be distributed among nearly one third the

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total membership of Congress, including the CIA's most intransigent critics. Gerald R. Ford and future presidents are thus forced to risk virtually uncontrollable security breaches by hostile members of Congress, some of whom never have accepted the need for CIA's secret political operations abroad. In today's post-Watergate atmosphere, where leaks of state secrets have become a way of life for politicians, this raises a real question whether the CIA's foreign operations can continue at all. That is, in fact, the intent of many congressional critics, who maintain the dubious notion that the blacker arts of espionage are a useless cold war relic.

There can be no ducking the clear language of the Ryan amendment, which began operating two weeks ago, when Sen. John Sparkman of Alabama, the new chairman of the Senate Foreign Relations Committee, asked for a list of present CIA undercover operations abroad, with their justification attached. A letter from President Ford was dispatched to Sparkman last week with the complete list.

Sparkman, who has never been a CIA critic, obviously sought this explosive piece of information to protect himself from CIA critics on his committee. Sparkman is now disussing with the CIA a possible method for safeguarding this information, perhaps a "need to know" committee rule which would place each senator under oath not to reveal it.

Skeptics, including many in Congress, doubt the information can be kept inviolate. Although the Ryan amendment singled out only the two foreign affairs panels, it requires the President to "report" to other "appropriate committees of the Congress." That language is assumed to include full memberships of armed services and appropriations committees. This makes up a small army: 153 members of six committees (with some overlaps) in the last Congress, and probably more in the new Congress.

Yet, when the Ryan amendment was passed by the House and Senate with scarcely a murmur in mid-December, neither the White House nor the CIA made any serious effort to organize

resistance. One Republican moderate on the Senate-House conference committee that wrote the final version of the foreign aid bill last month was amazed when the White House did not appeal for help.

"They were shell-shocked from the Chilean expose," he told us, "and just couldn't come to grips with the fact that in this thing they were playing with fire."

The White House was truly dealing with much more than it could handle last December when the foreign aid bill, already six months delayed, came up for a final vote. The hottest issue was not drastic expansion of congressional CIA oversight but how to handle another congressional effort to dictate policy in the attempted cut-off of Turkish aid.

Moreover, the damaging expose of CIA's efforts to influence Chilean politics, followed by allegations of domestic spying, have created an anti-CIA mood which the beleaguered White House is unwilling to challenge.

That mood has destroyed the congressional confidence in the CIA necessary for it to function properly. Instead, one-third of Congress is now armed with the right to know the agency's most secret operations abroad. Under those absurd ground rules, foreign sources essential to CIA's clandestine activities will not risk involvement for fear of exposure. Only time will tell the cost to the nation of such a straitjacket.