

Hill Authority To Release Data Opposed by Ford

By Walter Pincus

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The White House considers unacceptable a key provision in the bill Sen. Frank Church (D-Idaho) has proposed to establish a permanent Senate committee on intelligence activities, according to presidential aides.

Under Church's bill a majority vote of the Senate or under special circumstances — a majority vote of the new committee could bring about public disclosure of classified material, despite certification by the President that disclosure would threaten national security.

The White House position on

information given Congress by the executive is that "The President is the only person with responsibility to make it public," a Ford aide said.

Therefore, he added, if Congress does not change the Church proposal and it becomes law, the President may decide to deny the new oversight committee access to sensitive intelligence information.

"The amount of information any future committee gets will be proportional to the risk of unauthorized disclosure," the aide said.

The White House, based on its past experience with congressional committees, wants an acceptable disclosure agreement as a condition for cooperating with any congressional committee.

Under the Church bill procedure, the committee would notify the President of its intention to disclose any classified information it had been given. The President would have 10 days in which to certify which information he believed posed a threat to national security if disclosed.

The committee would then decide whether to yield or to take the issue to the Senate in closed session. Disclosure over the President's objection could be approved by a majority vote.

The bill also provides that the Senate could refer the matter back to the intelligence committee and leave the final decision up to a majority of its members.

The White House reportedly finds it unacceptable to leave the declassification power with a handful of senators.

Sen. Howard H. Baker Jr. (R-Tenn.), a member of the Church committee, said he favors a system whereby documents could be declassified "by joint resolution of the two houses of Congress."

A White House aide said that "only by a legislative act" should the Congress be able to disagree with a presidential decision to keep something classified. "And in that case, both bodies should act to overrule by a two-thirds vote, as in a veto."

The White House and Central Intelligence Agency also plan to fight the Church bill provision that would require a briefing of the new intelligence committee before the initiation of any "significant covert or clandestine operation in foreign countries."

Under law, the CIA must report to six congressional committees once the President has approved a major covert operation. The White House and CIA want this law changed, since, according to former CIA Director William E. Colby, all the operations discussed with Congress have been leaked to the press.

The White House, according to a presidential aide, also wants Congress to establish security procedures "that make sense dealing with the leak problem."

Colby has recommended that congressional staff aides be required to sign an agreement not to disclose classified intelligence information and face criminal prosecution for any violation.

There has been discussion within the administration of a similar arrangement for members of Congress.

Under one proposal, a senator or representative would agree to waive his constitutional immunity from prosecution before receiving sensitive intelligence information.

If he violated the agreement, according to this proposal, his action would be referred to the House or the Senate, where a majority vote would be required to refer it to the Attorney General for prosecution.

Hill CIA Unit Backs

Right to Disclose Data

United Press International

The House intelligence committee voted 8 to 5 yesterday to recommend that if a permanent oversight committee is formed, it should be able to make public any information in its possession.

"This is a terribly important and fundamental issue," Rep. Otis G. Pike (D-N.Y.), the committee chairman, said in opening debate on what he agreed was a "most controversial" matter.

The recommendation said the proposed oversight panel should "have the right to release any information or documents in its possession or control by a vote of the majority."

Rep. Les Aspin (D-Wis.), joined with Republican members in saying the recommendation went too far in granting the proposed oversight committee equal powers with the executive branch.