

## Senate Report

# New Law Urged For U.S. Spying

Washington

The Senate select committee on intelligence activities, concluding its 15-month-long investigation, urged Congress yesterday to adopt a new law covering foreign and military intelligence gathering that would create charters for the major agencies and sharply limit the use of covert action.

In a report that had few disclosures, the committee revealed that the United States has conducted some 900 major or sensitive covert operations in the last 15 years alone.

As one check on such actions, it recommended that Congress be informed in advance of proposed covert operations in the future.

In one proposal for structural reform, it urged that the Director of Central Intelligence be given authority over the entire intelligence community to set the overall budget, allocate resources, and determine national intelligence requirements for all agencies including the military.

The legislative future of its recommendations is far from clear. The committee made "recommendations" for legislation by Congress but will not introduce the bills itself. Instead, when a permanent oversight committee is created it would take these recommendations as the basis for a legislative package.

The new law is needed, the committee said, because "Congress has failed to provide the necessary statutory guidelines to insure that intelligence agencies carry out their missions in accord with constitutional processes." It would, in effect, recast the National Security Act of 1947 that created the modern intelligence system.

The new law, the committee said, should set "clearly defined prohibitions or limitations" on intelligence-gathering techniques and operations, define the roles of each intelligence agency and "set forth the basic purposes of national intelligence activities . . ."

"This revision should be given the highest priority by the Intelligence oversight committees of Congress, acting in consultation with the executive branch," the committee said.

The proposal is the centerpiece of a 474-page report on foreign and military intelligence that culminates an investigation begun in January, 1975. The committee is expected to make public a report on its domestic intelligence findings later this week.

Yesterday's report carried 37 separate recommendations for statutory or administrative change based upon "findings of fact" in areas ranging from drug tests on humans to covert operations in Chile.

Most disclosures in the report were guarded, coming in murky prose that the committee used in place of more explicit passages that were suppressed at the administration's behest.

At the request of the intelligence agencies, the committee withheld three chapters of its report, on "Cover," "Espionage" and "Budgetary Oversight" from the public, and deleted sections on covert action and intelligence operations of the Department of State.

A staff spokesman said this amounted to some 200 pages. How-

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ever, this material will be available to be read by the 100 senators.

The committee also voted, 6 to 5, in a closed meeting yesterday to ask the full Senate whether it could release the total budget figure for U.S. intelligence. It took this action after President Ford and CIA Director George Bush urged that the figure be omitted from the final report, for national security reasons.

A blank space appeared in the printed report where the figure should have been, but other material in the document permitted the reader to compute that a gross figure for intelligence, including

the armed forces components, was \$10 billion to \$11 billion annually and that the aggregate budgets of the CIA, Defense Intelligence Agency, the National Security Agency and the national reconnaissance program ran about \$4.5 billion.

John Tower (Rep-Texas), vice chairman of the committee, and Barry Goldwater (Rep-Ariz.) did not sign the report. Tower said in a statement he felt that the recommendations, "if enacted into law, could endanger America's security."

Howard Baker (Rep-Tenn.) signed the report but said he disagreed with several recommendations.

Although the committee gave "serious consideration" to recommending a "total ban" on covert activity, it concluded that the country must have such a capability for "extraordinary circumstances involving grave threats to United States national security." However,

it recommended that "all political assassinations, efforts to subvert democratic governments and support for police or other internal security forces which engage in systematic violation of human rights" be banned by law.

The committee applauded President Ford's recent executive order which upgraded the powers of the CIA director so as to make him more nearly in command of the entire intelligence community. However, it would not permit the director to formulate a national intelligence budget and to allocate those resources among the several agencies.

At the same time, the committee would remove the CIA director from direct control over covert operations or the clandestine collection of intelligence mainly to reduce his "conflict of interest" problem as the principal adviser to the president on foreign intelligence matters.

The Senate committee was far less harsh than its House of Representatives counterpart on the quality of the intelligence estimate made by the community. It said it found the estimates were "adequate" though "major improvement is both desirable and possible." It urged that the function of gathering and analyzing the intelligence be the highest priority of the intelligence agencies.

In several areas the committee urged that checks and balances of the executive branch be restored to decision making on intelligence matters. It recommended that the Secretary of State be told in advance of all clandestine intelligence-collection operations and covert actions so he could explain them and could object if he felt they would harm foreign policy.