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CIA - MM

For Release on Delivery: Statement of Senator Mike Mansfield, (D., Montana)

ESTABLISH A JOINT COMMITTEE ON CENTRAL INTELLIGENCE

Events during the past year have convinced me that an urgent need exists for regular and responsible congressional scrutiny of the Central Intelligence Agency. Such scrutiny is essential to the success of our foreign policy, to the preservation of our democratic processes, and to the security of the Intelligence Agency itself. The sooner we provide a legislative framework for proper Congressional-CIA relations, the quicker we can begin to build mutual confidence.

This is a prerequisite for effective operation by an executive agency, especially one hidden behind closed doors. If we fail to establish some sort of permanent, continuing link between Congress and the CIA the only result will be growing suspicion. From that, in all likelihood, will come sporadic investigations by various committees of Congress.

It should not be surprising that a great many Members of Congress are already questioning the wisdom of continuing to allow almost complete independence to a government agency as vital and powerful as CIA. In the first place, the whole concept of peacetime foreign intelligence operations has been alien to American tradition. It was not until 1947, when CIA was established, that this nation began to develop an intelligence service of any significant size. Even then many harbored serious doubts as to whether such an organization belonged in a democracy in peacetime.

Nevertheless, by 1947 most Americans realized that the United States was confronted with a foe which would use any means to attain its aim, the conquest of the world. Information on the capabilities and intentions of aggressive nations

became imperative, especially in view of the developments in atomic energy.

The need for the Central Intelligence Agency is seldom questioned any longer and I certainly am not challenging it now. What I am concerned with, however, is CIA's position of responsibility to none but the National Security Council. I believe this should be changed. It is true that intelligence services of other major countries operate without direct control of the legislatures. This is understandable in a totalitarian government, such as the Soviet Union. It is even understandable in a parliamentary democracy, such as Great Britain where the entire administration is a part of and is responsible to Parliament. Our form of government, however, is based on a system of checks and balances. If this system gets seriously out of balance at any point the whole system is jeopardized and the way is opened for the growth of tyranny.

There has been almost no Congressional inspection of the Central Intelligence Agency since the latter's establishment in 1947. It is conceivable that as the need for an intelligence service had been evident in 1946, the Congressional Reorganization Act of that year would have made provisions for congressional participation in the committee structure of Congress. As it is now, however, CIA is freed from practically every ordinary form of Congressional check. Control of its expenditures is exempted from the provisions of law which prevent financial abuses in other government agencies. Its appropriations are hidden in allotments to other agencies, and the Bureau of the Budget does not report CIA's personnel strength to Congress. Each year only a handful of Members in each house see even the appropriation figures. There is no regular, methodical review of this

agency, other than a briefing which is supplied to a few members of the appropriations committees.

I agree that an intelligence agency must maintain complete secrecy to be effective. If clandestine sources of information were inadvertently revealed, they would quickly dry up. Not only would the flow of information be cut off, but the lives of many would be seriously endangered. In addition, much of the value of the intelligence product would be lost if it were known that we possessed it. An example is the breaking of a code. If we break a code we can continue to intercept and decipher important messages as long as the enemy or potential enemy is unaware of our knowledge. However, the instant the enemy learns that we have the key, they will stop using that code or possibly use it only to mislead us. Secrecy for these purposes is obviously necessary.

However, there is a profound difference between an essential degree of secrecy to achieve a specific purpose and secrecy for the mere sake of secrecy. Once secrecy becomes sacrosanct, it invites abuse. If we accept this idea of secrecy for secrecy's sake we will have no way of knowing whether we have a fine intelligence service or a very poor one.

Secrecy now beclouds everything about CIA -- its cost, its efficiency, its successes, and its failures. It has been mustered against questions or proposals regarding CIA by Members of Congress. It is difficult to legislate intelligently for this agency because we have no information which we can be positive is correct.

An aura of superiority has been built around the CIA. Calls for an investigation of CIA personnel have been met with a resistance not encountered from any other agency. The Administration appears to support the view that CIA officials merit an immunity which has never been claimed for the State Department or other government agencies handling equally confidential material. CIA seems to have marked out for itself a setting above other government agencies, Congress, and the public.

I do not believe that responsible Congressional auditing of the CIA is incompatible with the maintenance of the degree of secrecy necessary to the legitimate operations of this agency. On the contrary it has many advantages. It would protect the reputation of the agency against unjustified attacks. It would make unnecessary sporadic investigations which might lead to unauthorized disclosures. Adequate funds would be assured for all legitimate purposes. Most important, the assertion of Congressional interest in this field would reduce the threat to our democratic processes which this uncontrolled agency by its very nature now poses.

The kind of Congressional role which is called for in this situation is similar to that played by the Joint Committee on Atomic Energy. The resolution which I am introducing today is similar to one I sponsored last July. It proposes the creation of a Joint Committee on Central Intelligence. This Committee would be composed of five members of the Senate and five members of the House. No more than three members in either house would be selected from the same political party. The Committee would make continuing studies of the activities of the Agency,

its problems, its utilization by other departments and agencies, and its coordination with them. From time to time the members of the committee would report to the Senate and House and recommend such legislation as might be needed.

The Joint Committee on Atomic Energy offers a model for Congressional participation in the control of CIA. The Joint Committee deals with a subject that requires at least as much secrecy as would a committee on intelligence. It deals with a subject that is even more vital to our national security.

The Atomic Energy Committee has earned the respect of both the Executive and Legislative Branches of the government. It has been entrusted with the most vital secrets of state and it has proved worthy of that trust. Other members of Congress have full confidence in its judgment. Their legislative actions affecting atomic energy are based on the secure knowledge that trusted members of both houses are fully cognizant of developments in atomic energy. They do not have to depend on the unilateral judgment of the Executive Branch as to what members of Congress ought or ought not to know.

The Atomic Energy Commission also benefits from its ties with the Committee because it provides the Commissioners with a clear channel into which they can direct their legislative problems. The security of the Atomic Energy program, moreover, is not periodically threatened by sporadic investigations and embarrassing questions from the floor of Congress.

I do not believe that the Central Intelligence Agency enjoys the same degree of confidence in Congress and among the American people which has been gained by the Atomic Energy Commission. And I do not believe the CIA will ever

obtain it under present arrangements. On the contrary, all signs point to a steady loss of confidence. How could it be otherwise when we are left to wonder about the efficiency and economy of its operation, if the only assurances we have of the effectiveness of the service are those proffered by the men who run it?

Until a committee of the kind I am proposing is established, there will be no way of knowing what serious flaws in the Intelligence Agency may be covered by the curtain of secrecy in which it is shrouded. In 1949 the Hoover Commission examined the CIA. A task force stated that "The Central Intelligence Agency has not yet achieved the desired degree of proficiency and dependability in its estimates. Without it, the National Security Council cannot succeed in assessing and appraising the objectives, commitments, and risks of the United States in relation to our . . . military power, with sufficient continuity or definiteness to constitute a practical guide to the military establishment as to the size of our military needs." It recommended that vigorous steps be taken to improve the Central Intelligence Agency and its work.

Have these steps been taken? We do not know and we have no way of finding out. Yet we are asked to go on appropriating vast funds without debate or question for this agency.

More recently the Washington Star carried a story to the effect that CIA "has become so top heavy and unwieldy that it should be scrapped altogether and replaced by a new organization." Is this charge true? The columnist who reported this view said further that "our legislators feel strongly that there must be much overlapping and useless expenditure in the activities" of the five separate

groups engaged in intelligence -- CIA, the State Department, the Navy, the Army, and the Air Force. Is this charge true? He also wrote that "legislators who have been in close contact with the CIA believe that there is much dead wood in the organization which should be eliminated and it contains too many 'pals' of men with influence in the Government." Is this charge true?

The fact is that we do not know whether these and other charges similarly unrelated to secrecy are true or not true. And if we are to legislate funds for this agency, we ought to know.

We also do not know if CIA is staying within the limits established by law or if it has expanded beyond its original purposes. On December 30, 1952, the same columnist asserted that "the CIA established an intelligence service in the United States," although the law creating the Agency specifically prohibits it from "police, subpoena, law-enforcement powers or internal-security functions." Yet, as was pointed out in an article in the New York Times on July 19, 1953, two CIA agents gave reports to the FBI that Owen Lattimore was about to leave this country. Nevertheless, they later refused on security grounds to testify in court on their role in this matter. Does this incident mean that the CIA is getting into the internal security field in competition with the FBI? Does it mean that officials of this government agency can defy the courts?

What of the quality of the product which CIA is producing? CIA officials claim that the United States intelligence system is second only to that of the Soviet Union. I do not know whether this is a boast of strength or a confession of weakness. Hanson Baldwin has reported that some observers believe that it is

actually not as effective, in terms of end results, as the British Secret Service with roughly 3,000 employees or the Israeli service with roughly 300. Others believe that this country is spending too much money on intelligence for the results we are obtaining. The amount is a classified figure but published estimates of the annual appropriation run from \$500 million to \$800 million. Personnel estimates in the press run between 8,000 and 30,000 employees.

Whatever the cost we ought to be certain of the quality of our intelligence. Faulty intelligence estimates could jeopardize our entire defense and our foreign policy. Both of these must be based on cold knowledge and intelligent evaluation of the capabilities and intentions of other countries. If our premises are wrong, it is logical to assume that the policies based upon them will be wrong.

The Central Intelligence Agency plays a more direct role in foreign policy than that of simply providing some of the information on which our policies are based. It also serves, apparently, as an instrument of policy. Time magazine recently reported that "Though CIA officials do not admit it publicly the agency was from the start engaged in a wide range of 'covert activities', espionage, aid to resistance movements and perhaps sabotage." Exactly how many and what kind of activities are carried on, I do not know. This is a field in which information is even more closely guarded. Nevertheless, several such activities have been reported in the press and we can assume that there have been others which have not made the headlines.

In the Washington Post of January 9, 1953, the following undertakings of CIA agents were cited as a "sampling of exploits which have been the subject of many whispered complaints."

- "1. Subsidization by CIA of a neo-Nazi organization which had marked for liquidation the leaders of the Social Democratic Party. /The party of Ernet Reuter, late mayor of Berlin and vehement anti-Communist/.
2. Incarceration for eight months of Japanese citizen under excuse of cross-examination -- a job initially undertaken by General Willoughby's Army Intelligence and passed on to CIA.
3. Tapping of the telephone of Jose Figueres, former Costa Rican President /and now President again/, at which a CIA man was caught red-handed.
4. Abortive effort by CIA undercover men to start a revolution in Guatemala and blame it on the United Fruit Co.
5. Burmese and Siamese and Vietnamese suspicions of CIA activity in promoting guerilla forays from the Burmese border into mainland China on the part of the tatterdemalion expellees among Chiang Kai-shek's defeated Nationalists."

I do not need to point out the tremendous impact which this sort of activity could have on our foreign policy. Other countries cannot be expected to distinguish between CIA policy and United States policy. If these reports are true then it would appear to others that it was United States foreign policy to promote a neo-Nazi organization, to incarcerate a Japanese citizen, and start a revolution in one of our neighboring countries. Moreover, the Burma episode, according to the Washington Post, "led to the resignation in disgust of one of the best and most respected of our career Ambassadors on the ground not only that he did not go along with the black diplomacy around him, but that he was kept in ignorance of it." Is there any wonder that there should be increasing concern with the absence of control over this agency? We cannot permit CIA any more than any other government

agency to have free reign to do anything it wants anywhere in the world. If its agents play carelessly with fire, the whole world might get burned.

I do not have official verification of any of the criticisms I have mentioned. All my information, as I have indicated, has been taken from public sources. But the point is that any of these reported incidents could be true and we would not know the facts. Would it not be far more sensible if Congress were aware of the general policies being pursued by Central Intelligence? Is there any other way that we can be reasonably certain that public funds are not being wasted? That the country is getting the intelligence it needs for its protection?

If a joint committee is established, CIA officials would not have to seal their lips and put on the face of martyrdom, every time they were criticized. They would have a Congressional channel to present their side. The joint committee, in turn, could maintain the confidence of Congress and the public, without loss of security. Until we create some sort of watchdog committee, however, we will have nothing but continued anxiety about the Central Intelligence Agency and its widespread activities.

It is characteristic of our system of government that we are suspicious, and rightly so, of unrestrained power. Technically, the CIA is part of the Executive Branch and the Executive Branch is subject to the checks and balances of our Constitution. Actually the nature of its work, its peculiar place in our governmental structure have given this agency in effect a position inviting irresponsibility. At its best this makes for continued suspicion; at its worst it is a menace to free government.

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