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Mr. Chairman, members of the Committee: These hearings coincide with the concluding days of the Select Committee's investigation into illegal, improper or unethical activities conducted by the Nation's intelligence community.

As we learn about and begin to understand these revelations it becomes apparent that what the American people knew before were but dim shadows of our intelligence establishment -- shadows which were cast only from time to time. For most of us the community itself remains as it had before -- cloaked in mystery. Heretofore, that was so because Congress largely chose to ignore it. It will continue a mystery, however, unless and until Congress chooses to change its policy and to exert some degree of scrutiny and vigilence, to perform some measure of oversight, to extract a commitment of ongoing accountability. The excesses of our intelligence community now so familiar to us all are a direct result
of Congressional neglect and inattention.

What is to be remembered in the context of these hearings and any forthcoming recommendations is the essential necessity for a strong, vital and highly competent intelligence gathering facility within the Nation. What is not to be forgotten for a moment is the outstanding work to date performed by the CIA, the NSA, the FBI and all of the rest. That is not to say that there is no compelling need for vigilence and accountability. Supervision and responsiveness are the only ways we might avoid as much as possible the recurrence of past strains against our constitutional system.

The initial question then is whether there is to be any oversight facility concerning the intelligence community within the Senate. That question for me personally does not need extensive comment. Even without recent investigations it was clear that Congressional awareness of intelligence activities had been inadequate. Either unable, unwilling, ill-equipped or other-
wise, the Senate certainly has not performed this essential function. It could be said that we as elected representatives under this form of government simply have not performed as we should have performed. We have been inexcusably lax. Now is not the time, nor is this the place to assess blame, however, to cite responsibility or to lay bare these deficiencies of the past. Nor indeed was it the Senate alone that failed. But the failure is there nonetheless, cumulatively but unmistakably. It is there in terms of the abuse, in terms of the waste and inefficiency, in terms of outright assaults against freedom and individual liberty.

Intelligence is necessary. It is necessary, essential, right and appropriate. But neither is that an issue before this Committee. In the past in America the intelligence function has been a cornerstone to national survival, manned, in my judgment, by the most competent, effective and dedicated individuals ever assembled. In the context of the world as it is and as it will no
doubt continue, intelligence gathering will remain a vital support to the Nation. No one seriously questions that proposition. What you are here considering, Mr. Chairman and members of this Committee, is oversight, or awareness, or watchfulness, all reflecting the appropriate role of the legislative body within the framework of American democracy. To be sure, there will be cries of meddling, of wrongful intrusion, of so-called "politics." Already they are heard - in the corridors outside and even in the press. But be steadfast, I suggest, Mr. Chairman and members of this Committee. Be steadfast in your efforts to recommend to the Senate a facility that will provide regular, comprehensive and systematic oversight regarding the Nation's intelligence function. Those cries were heard before and they prevailed. They served to obstruct the role of this institution only to misdirect it or mislead it at times in pursuit of ill-advise policies both at home and abroad.

As you know, my own efforts to create a more consistent
and comprehensive approach to intelligence oversight by the Senate goes back more than a decade. The reasons for my past concern, may I say, have been amply justified recently in terms of the task undertaken this past year by the Church-Tower Committee. Those reasons are diverse -- as diverse as intelligence operations themselves; operations which are scattered among and between a dozen or more agencies, bureaus and departments. CIA, as this Committee knows, undertakes only a fragment of the total intelligence activities of the United States Government. There is NSA, DIA, the Bureau of Intelligence within the State Department, Treasury's Office of National Security, ERDA, the Air Force intelligence unit, G-2 in the Army/Marine Corps, Naval intelligence and then the dozen or so agencies that cover domestic intelligence including FBI, DEA, IRS and so forth. Within this intelligence thicket have arisen unneeded overlaps and duplication of effort, goals and achievements. To reshuffle and restructure them will take more than the immediate task this
Committee assumes. They do explain a small aspect of the problem, however. The history of effective coordination is as uneven as the history of the growth of the intelligence community itself and the changing cast of officials within the differing lines of authority charged with administering it.

Then too, there is the question of federal agencies directing actions against individual U. S. citizens in clear violation of the spirit if not the letter of the Constitution. This is only another aspect of the problem. But it should also be open to some form of Senate scrutiny.

And in connection with overlap and duplication, what about the effective use of intelligence reports? Within the various components of the intelligence community there often have existed differing conclusions about a given set of facts or events. In helping to formulate national policy should we in the Senate not have the benefit of the various reactions within the intelligence community to a problem facing the Nation? Admittedly, global
conflict at times seems to pounce on us as a Nation but the
lesson of Vietnam stands also as a reminder of an information
and assessment hiatus that in my judgment assisted the misdirec-
tion, misapplication and imprudent commitment of U. S. resources
and manpower. By the same token, let us remember that Angola
stands immediately before us with the Middle East as always on
the horizon.

Delicate indeed does this become when we speak of covert
actions employed to influence events. It is not that they should
be abandoned. It is rather that their purposes be measured with
more care than previously demanded against the vital interests of
the United States. It means too that effective awareness of them be
extended to this institution.

Beyond these issues there is the question of fitting
together the Nation's intelligence components from the standpoint
of external threats vis-a-vis actions occurring within our
national boundaries which tend to serve them or to aid or assist
them. Such an oversight mandate must, therefore, include the capacity to accommodate an integrated perception of national intelligence – not foreign intelligence, not domestic intelligence -- but national intelligence.

Certainly, there are additional issues that would justify an intelligence oversight function or mandate by the Senate. But, as I perceive the task of your Committee, Mr. Chairman, with the rationale already there, the endeavor now is to design a Senate facility capable of doing the job while at the same time safeguarding the most vital secrets of the Nation -- and by that I mean matters the exposure of which would threaten our very survival.

How do I see such a facility? Its shape? Its function? Its form? In part I have explained it already, but I would like to make some further comments.

First of all, should it be a Senate facility? Yes. I have indicated that. It was first proposed twenty-one years ago, I believe. What the House does is up to the House. It has under-
taken its own special intelligence investigation this past year and may arrive at differing conclusions on where to go from here in the context of its own constitutional responsibility. But, in my mind, it is clear from the Constitution, from the laws and the history of this Nation that the Senate is assigned a unique and special role in foreign affairs. To more effectively perform that role in behalf of the American people the Senate must create every agency and facility needed to do the job. Intelligence oversight is needed. To do that job, a facility must be created.

As a body the full Senate cannot do it and to date no existing committees have done it. As a result, in my own experience over the years, I along with the Senate have suffered a significant deficiency both as to the awareness of the intelligence apparatus and operation and the information gathered and assessed therein.

What about the charter? I think it should be sufficiently broad to encompass all major intelligence organizations. Directly
under it, therefore, should at least come the activities of CIA, NSA, DSA, certain endeavors of DOD and the counterintelligence undertakings of the FBI. While it thus should be broad enough to invite the most generous scrutiny of the intelligence community in the Senate's behalf, it need not limit or preclude the normal delegated jurisdictional bases of other standing committees. In some cases, in fact, there is a great deal to be said for a little competition. But no committee, no agency of the Senate has exercised complete vigilence over such obvious questions, for example, as intelligence coordination. No committee heretofore has analyzed on a continuing basis the ongoing activities of each of the intelligence components, related their activities to each other or fitted them together into an integrated whole. Overlap, duplication, swollen and inefficient budgets and so forth may or may not be in the interests of this Nation. Only by vigilence and understanding, however, can such judgments be made.

And what about the issue of unconstitutional operations
against citizens of the United States by an intelligence apparatus.

For these, there have existed few, if any, remedies in the past. What remedies there have been were inadequate at best. Oversight coupled with a mechanism that assures accountability would go far in my judgment to preserve notions of individual liberty that we cherish so deeply.

Of particular sensitivity is the question of budget analysis with respect to intelligence operations. But oversight per se would seem to dictate that such a function be included within any mandate established. In the past we have been put off in this area with urgings that there have been no hearings, no investigations and so forth. The investigations have occurred, hearings have been held and it is time I think that we carve out a rational way to perform a simple authorizing function on an annual basis. Such a function is essential to the question of accountability. Perhaps a line-item approach would not be in order granting the nature of many of the activities involved but
aggregate sums certainly reveal little, if any, of our intelligence story that is not already known to the world. As I recall, atomic and nuclear expenditures are handled in similar fashion.

Beyond an annual authorization, however, such a committee must be kept informed on a continuing basis of all major activities and plans. Overall, it must be equipped with appropriate tools to assure such responsiveness. But while subpoenas, compliance and contempt procedures and the like should be made available -- the emphasis in this area must be on cooperation with the Executive and that too should be spelled out in any charter along with appropriate measures to require that cooperation be a two-way street.

It seems to me that a primary concern here is to assure that national policy formulated largely by and within the legislative branch is not to be overturned, undercut or frustrated in its execution and implementation. The initial burden of coming forward by necessity would fall on the agency or agencies involved and in turn it would be the responsibility of the Committee as the
Senate's agent to keep the Senate advised in an appropriate manner keeping in mind the relative importance and sensitivity of whatever issue happens to be at stake. Standards and safeguards regarding disclosure may be in order but it has always been my conviction that Senators are equal, that there are no super Senators, that no member elected to serve in this institution exceeds any other in terms of patriotism, of loyalty or of dedication to the letter and spirit of the Constitution and the laws of the United States. It is, in fact, for this reason that I believe that the membership on the Intelligence Committee should be rotated. A limitation of six or eight years of consecutive service on the Committee would guarantee the vigilant inquiry that a fresh mind brings to any problem. It would avoid the possible danger of establishing the client relationship that could otherwise so easily occurred. Also, it would provide in time a significant foundation upon which the Senate as a whole might confidently adjudge the recommendations of its agent — the
Committee.

Otherwise, I would apply the same standards as are imposed upon the other standing committees in terms of composition, selection, membership, staffing, the election of Chairman, and whatnot save only that the sensitive nature of its tasks requires that additional precautions be taken just as they are by the Joint Committee on Atomic Energy and just as they have been this past year by the Select Intelligence Committee.

One final comment, Mr. Chairman and members of the Committee. While these views reflect and expand upon my public critique of the work and recommendations of the Commission on the Organization of the Government -- the so-called Murphy Commission -- with respect to the establishment of an intelligence committee, I would caution you and this Committee concerning an aspect of this issue insofar as the involvement of Congress and the Senate is concerned. I served on that Commission and my views on its performance are rather well known. What I wish to say is that
there is some risk in creating any committee in this area. What I would not want to see happen; indeed, what would be counter-productive would be a committee cloaked only with apparent importance, manned by some elite few who gained admission outside the normal selection process, centralized and aloof, and in the end so impotent that it would itself become a creature if not an active conspirator within the community over which it must exert scrutiny. Make it independent. Give it the tools and power to protect that independence. And above all, make certain that it responds to the Senate and to the Senate alone.

Thank you, Mr. Chairman and members of the Committee.