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October 24, 1975

MEMORANDUM FOR:

JACK MARSH

THRU:

MAX L. FRIEDERSDORF  
VERN LOEN

FROM:

CHARLES LEPPERT, JR.

SUBJECT:

Legislative Charter of the House Select  
Committee on Intelligence

Pursuant to your request attached are copies of the legislative charter of the House Select Committee on Intelligence and two copies of H. Res. 591, two copies of the Committee Report No. 94-351 to accompany H. Res. 591 and a copy of the floor debate from the Congressional Record on the House consideration and passage of H. Res. 591.

Attachments



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**Attachments**



ROBERT MCCLORY  
13TH DISTRICT, ILLINOIS

ROOM 2452  
RAYBURN HOUSE OFFICE BUILDING  
(202) 225-5221

JUDICIARY COMMITTEE

U.S. INTERPARLIAMENTARY  
UNION DELEGATION

Congress of the United States  
House of Representatives  
Washington, D.C. 20515

DISTRICT OFFICES  
KANE COUNTY  
MUNICIPAL BUILDING  
150 DEXTER COURT  
ELGIN, ILLINOIS 60120  
(312) 697-5005

LAKE COUNTY  
POST OFFICE BUILDING  
326 NORTH GENESEE STREET  
WAUKEGAN, ILLINOIS 60085  
(312) 336-4554

McHENRY COUNTY  
McHENRY COUNTY COURTHOUSE  
2200 SEMINARY ROAD  
WOODSTOCK, ILLINOIS 60098  
(815) 338-2040

Debate on H. Res. 591  
Congressional Record  
Week of 7/14 - 7/17

H 6755-56

H 6865-H 6881



THE WHITE HOUSE

WASHINGTON

October 20, 1975

MEMORANDUM FOR: CHARLIE LEPPERT

FROM: JACK MARSH 

Please get me a copy of the legislative charter of the House Select Committee. I want the resolution adopted by the entire House, giving these people their mandate and their powers.

Many thanks.

## ESTABLISHING A SELECT COMMITTEE ON INTELLIGENCE

JULY 11, 1975.—Referred to the House Calendar and ordered to be printed

Mr. BOLLING, from the Committee on Rules  
submitted the following

### REPORT

together with

### ADDITIONAL VIEWS

[To accompany H. Res. 591]

The Committee on Rules, having had under consideration House Resolution 591, report the same to the House with the recommendation that the resolution do pass, and submit the following report in explanation of the accompanying resolution creating a Select Committee on Intelligence.

#### PURPOSE

H. Res. 591 establishes a Select Committee on Intelligence to be composed of 13 Members and having the identical jurisdiction as provided in H. Res. 138. H. Res. 591 abolishes the Select Committee on Intelligence which was created by H. Res. 138 and transfers the funds allocated to that select committee to the select committee created by this resolution. All papers, documents and others materials of the existing select committee are transferred to the new select committee.

#### SUMMARY OF THE MAJOR PROVISIONS

Section 2 of the bill provides that the select committee is authorized and directed to conduct an inquiry into:

- (1) the collection, analysis, use and cost of intelligence information and allegations of illegal or improper activities of intelligence agencies in the United States and abroad;
- (2) the procedures and effectiveness of coordination among and between the various intelligence components of the United States Government;
- (3) the nature and extent of executive branch oversight and control of United States intelligence activities;



(4) the need for improved or reorganized oversight by the Congress of the United States intelligence activities;

(5) the necessity, nature, and extent of overt and covert intelligence activities by United States instrumentalities in the United States and abroad;

(6) the procedures for and means of the protection of sensitive intelligence information;

(7) procedures for and means of the protection of rights and privileges of citizens of the United States from illegal or improper intelligence activities; and

(8) such other related matters as the select committee shall deem necessary to carry out the purposes of this resolution.

Section 3 provides that the select committee, in carrying out the purposes of this resolution, is authorized to inquire into the activities of the following:

- (1) the National Security Council;
- (2) the United States Intelligence Board;
- (3) the President's Foreign Intelligence Advisory Board;
- (4) the Central Intelligence Agency;
- (5) the Defense Intelligence Agency;
- (6) the intelligence components of the Departments of the Army, Navy, and Air Force;
- (7) the National Security Agency;
- (8) the Intelligence and Research Bureau of the Department of State;
- (9) the Federal Bureau of Investigation;
- (10) the Department of the Treasury and the Department of Justice;
- (11) The Energy Research and Development Administration; and
- (12) any other instrumentalities of the United States Government engaged in or otherwise responsible for intelligence operations in the United States and abroad.

Section 4 grants the Select Committee subpoena power over the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary.

Section 6 provides that the Select Committee shall institute and carry out such rules and procedures as it may deem necessary to prevent the disclosure, outside the Select Committee, of (1) any information relating to the activities of any department or agency of the Federal Government engaged in intelligence activities obtained by the Select Committee during the course of its investigation, not authorized to be disclosed; and (2) any information which would adversely affect the intelligence activities in foreign countries of any department or agency of the Federal Government.

Section 8 authorizes and directs the Select Committee to report to the House no later than January 3, 1976.

Section 10 transfers the unexpended funds of the existing Select Committee to the new Select Committee. It also transfers all papers, documents, and other materials of the existing Select Committee to the new Select Committee.

LEGISLATIVE HISTORY

The Committee on Rules held one day of hearings on H. Res. 138 on February 18, 1975. On that day, the Committee reported H. Res. 138 by a voice vote. H. Res. 138, as amended, passed the House by a vote of 286 to 120 on February 19, 1975.

COMMITTEE ACTION

The Committee on Rules held two days of hearings and markup on July 9 and 10, 1975, on the resolution. During the hearings Representatives Sisk, McClory, Harrington, Dellums, and Kasten presented testimony. The Committee ordered reported H. Res. 591 by a record vote of 10 ayes and 4 nays on July 10, 1975.

STATEMENT UNDER CLAUSE 2(1)(3), AND CLAUSE 2(1)(4) OF RULE XI OF THE RULES OF THE HOUSE OF REPRESENTATIVES

*A. Oversight statement*

The Committee made no special oversight findings on this resolution.

*B. Budget statement*

No budget statement is submitted.

*C. Estimate of the Congressional Budget Office*

No estimate or comparison was received from the Director of the Congressional Budget Office as referred to in subdivision (C) of Clause 2(1)(3) of House Rule XI.

*D. Oversight findings and recommendations of the Committee on Government Operations*

No findings or recommendations of the Committee on Government Operations were received as referred to in subdivision (d) of clause 2(1)(3) of House Rule XI.

CHANGES IN HOUSE RESOLUTION 138 ADOPTED BY THE 94TH CONGRESS

In compliance with clause 4(d) of rule XI of the Rules of the House of Representatives, the text which is proposed to be repealed is enclosed in black brackets and new matter is printed in italic:

*Resolved*, That (a) there is hereby established in the House of Representatives a Select Committee on Intelligence to conduct an inquiry into the organization, operations, and oversight of the intelligence community of the United States Government.

(b) The select committee shall be composed of ten Members of the House of Representatives to be appointed by the Speaker. The Speaker shall designate one of the Members as chairman.

(c) For the purposes of this resolution the select committee is authorized to sit during sessions of the House and during the present Congress whether or not the House has recessed or adjourned. A majority of the members of the select committee shall constitute a quorum for the transaction of business except that the select committee may

designate a lesser number as a quorum for the purpose of taking testimony.

SEC. 2. The select committee is authorized and directed to conduct an inquiry into—

- (1) the collection, analysis, use, and cost of intelligence information and allegations of illegal or improper activities of intelligence agencies in the United States and abroad;
- (2) the procedures and effectiveness of coordination among and between the various intelligence components of the United States Government;
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- (4) the need for improved or reorganized oversight by the Congress of United States intelligence activities;
- (5) the necessity, nature, and extent of overt and covert intelligence activities by United States intelligence instrumentalities in the United States and abroad;
- (6) the procedures for and means of the protection of sensitive intelligence information;
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- (8) such other related matters as the select committee shall deem necessary to carry out the purposes of this resolution.

SEC. 3. In carrying out the purposes of this resolution, the select committee is authorized to inquire into the activities of the following:

- (1) the National Security Council;
- (2) the United States Intelligence Board;
- (3) the President's Foreign Intelligence Advisory Board;
- (4) the Central Intelligence Agency;
- (5) the Defense Intelligence Agency;
- (6) the intelligence components of the Departments of the Army, Navy, and Air Force;
- (7) the National Security Agency;
- (8) the Intelligence and Research Bureau of the Department of State;
- (9) the Federal Bureau of Investigation;
- (10) the Department of the Treasury and the Department of Justice;
- (11) the Energy Research and Development Administration; and
- (12) any other instrumentalities of the United States Government engaged in or otherwise responsible for intelligence operations in the United States and abroad.

SEC. 4. The select committee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the chairman of the select committee or any member designated by him, and may be served by any person designated by the chairman or such member. The chairman of the select committee, or any member designated by him, may administer oaths to any witness.

SEC. 5. To enable the select committee to carry out the purposes of this resolution, it is authorized to employ investigators, attorneys, consultants, or organizations thereof, and clerical, stenographic, and other assistance.

SEC. 6. (a) The select committee shall institute and carry out such rules and procedures as it may deem necessary to prevent (1) the disclosure, outside the select committee, of any information relating to the activities of the Central Intelligence Agency or any other department or agency of the Federal Government engaged in intelligence activities, obtained by the select committee during the course of its study and investigation, not authorized by the select committee to be disclosed; and (2) the disclosure, outside the select committee of any information which would adversely affect the intelligence activities of the Central Intelligence Agency in foreign countries or the intelligence activities in foreign countries of any other department or agency of the Federal Government.

(b) No employee of the select committee or any person engaged by contract or otherwise to perform services for the select committee shall be given access to any classified information by the select committee unless such employee or person has received an appropriate security clearance as determined by the select committee. The type of security clearance to be required in the case of any such employee or person shall, within the determination of the select committee, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by the select committee.

(c) As a condition for employment as described in section 5 of this resolution, each person shall agree not to accept any honorarium, royalty, or other payment for a speaking engagement, magazine article, book, or other endeavor connected with the investigation and study undertaken by this committee.

SEC. 7. The expenses of the select committee under this resolution shall not exceed \$750,000 of which amount not to exceed \$100,000 shall be available for the procurement of the services of individual consultants or organizations thereof. Such expenses shall be paid from the contingent fund of the House upon vouchers signed by the chairman of the select committee and approved by the Speaker.

SEC. 8. The select committee is authorized and directed to report to the House with respect to the matters covered by this resolution as soon as practicable but no later than January 3, 1976.

SEC. 9. The authority granted herein shall expire three months after the filing of the report with the House of Representatives.]

*Resolved, That (a) there is hereby established in the House of Representatives a Select Committee on Intelligence to conduct an inquiry into the organization, operations, and oversight of the intelligence community of the United States Government.*

*(b) The select committee shall be composed of thirteen Members of the House of Representatives to be appointed by the Speaker. The Speaker shall designate one of the Members as chairman.*

*(c) For the purposes of this resolution the select committee is authorized to sit during sessions of the House and during the present Congress whether or not the House has recessed or adjourned. A majority of the members of the select committee shall constitute a quorum*

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- (7) the National Security Agency;
- (8) the Intelligence and Research Bureau of the Department of State;
- (9) the Federal Bureau of Investigation;
- (10) the Department of the Treasury and the Department of Justice;
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- (12) any other instrumentalities of the United States Government engaged in or otherwise responsible for intelligence operations in the United States and abroad.

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SEC. 7. The expenses of the select committee under this resolution shall not exceed \$750,000 of which amount not to exceed \$100,000 shall be available for the procurement of the services of individual consultants or organizations thereof. Such expenses shall be paid from the contingent fund of the House upon vouchers signed by the chairman of the select committee and approved by the Speaker.

SEC. 8. The select committee is authorized and directed to report to the House with respect to the matters covered by this resolution as soon as practicable but no later than January 3, 1976.

SEC. 9. The authority granted herein shall expire three months after the filing of the report with the House of Representatives.

SEC. 10. The Select Committee established by H. Res. 138 is abolished immediately upon the adoption of this resolution. Unexpended funds authorized for the use of the Select Committee under H. Res. 138 and all papers, documents, and other materials generated by the select committee shall be transferred immediately upon the adoption of this resolution to the select committee created by this resolution.

I have already indicated several excellent bills are now pending in the committee to accomplish this. There is no reason why the House Committee should not report such a bill to the House before the August recess once the House makes clear through the adoption of my resolution that it is ready to take such action.

**ADDITIONAL VIEWS OF THE HONORABLE JOHN B. ANDERSON**

At this critical impasse in the intelligence inquiry, the House must decide whether it simply wants to play a game of reverse musical chairs with its intelligence committee (add more chairs for more players to march in wider circles to the same tune), or whether it wants to seize on the moment to take a more constructive step forward by both completing the present investigation and creating a more permanent intelligence oversight mechanism for the Congress.

House Resolution 591 adopts the former approach in the hope that dilution is the solution (especially if certain active and inactive ingredients can be separated in the process). This would seem to be a workable formula (assuming the new solvent mixes well with the base). But no mix of magic potions (or metaphors) can cloud the fact that we are going to rather lengthy extremes to accomplish a very limited objective: we are abolishing a committee for the sole purpose of removing one or two members, then resurrecting it (Phoenix-like) with an expanded membership.

As long as we're going to all this trouble, would it not make sense to accomplish more in the process, namely, taking the first step toward creating a permanent joint committee on intelligence oversight? Is there any reason to wait another six months or more for the House and Senate intelligence committees to make this inevitable recommendation, especially when it has already been proposed by the Rockefeller and Murphy commissions and numerous bills and resolutions have been introduced to implement this proposal?

I intend to offer a substitute resolution aimed at achieving the dual objectives of completing the present investigation and moving forward on the joint committee proposal. Under the terms of my substitute, as soon as the House adopts a bill or resolution creating a permanent joint committee on intelligence oversight (by whatever name), it shall be in order to immediately appoint the House members for the purpose of assuming the full authority presently delegated to our Select Committee on Intelligence. The House half of the joint committee would serve as an interim ad hoc committee on intelligence until such time that the Senate takes final action on the joint committee proposal. The interim ad hoc committee would operate under the provisions and conditions, and using the remaining available funds, of House Resolution 138 (which established the Select Committee on Intelligence), and all papers, documents and other materials generated by the Select Committee would be transferred to the interim ad hoc committee.

The main objection raised to this proposal is that there would be a lull in the investigation between the adoption of my resolution and subsequent House action on the joint committee measure. I do not think this presents a significant problem in that the chairman of the Rules Committee pledged on July 10 to set hearings on the joint committee proposal at the earliest convenience of the committee. And, as

I have already indicated, several excellent bills are now pending in the committee to accomplish this. There is no reason why the Rules Committee could not report such a bill to the House before the August recess once the House makes clear through the adoption of my resolution that this is the course it wishes to pursue. Since my resolution also provides for the payment of select committee staff salaries one month beyond the abolition of the select committee, there would be no problem for the new interim ad hoc committee to retain what existing staff it desired.

In conclusion, I would urge the House to take a positive step forward through the adoption of my substitute rather than simply shuffling a few chairs.

JOHN B. ANDERSON.



I intend to offer a substitute resolution aimed at achieving the dual objectives of completing the present investigation and covering forward on the joint committee proposal. Under the terms of my substitute, as the House adopts a bill or resolution creating a permanent joint committee on intelligence oversight (by whatever name), it shall be in order to immediately appoint the House members for the purpose of receiving the full authority presently delegated to our Select Committee on Intelligence. The House bill of the joint committee would serve as an interim ad hoc committee on intelligence until such time that a Senate takes final action on the joint committee proposal. The interim ad hoc committee would operate under the provisions and conditions and under the provisions of the House Rules Committee, and the House Rules Committee on Intelligence, and the House Rules Committee on Intelligence, and the House Rules Committee on Intelligence. All papers, documents and other materials generated by the Select Committee shall be made available to the interim ad hoc committee. The main objective of this proposal is that there would be no interruption in the investigation between the adoption of my resolution and subsequent House action on the joint committee measure. I do not think this presents a significant problem in that the chairman of the Select Committee pledged on July 10 to set hearings on the joint committee proposal at the earliest convenience of the committee. And as

## ESTABLISHING A SELECT COMMITTEE ON INTELLIGENCE

JULY 11, 1975.—Referred to the House Calendar and ordered to be printed

Mr. BOLLING, from the Committee on Rules  
submitted the following

### REPORT

together with

### ADDITIONAL VIEWS

[To accompany H. Res. 591]

The Committee on Rules, having had under consideration House Resolution 591, report the same to the House with the recommendation that the resolution do pass, and submit the following report in explanation of the accompanying resolution creating a Select Committee on Intelligence.

#### PURPOSE

H. Res. 591 establishes a Select Committee on Intelligence to be composed of 13 Members and having the identical jurisdiction as provided in H. Res. 138. H. Res. 591 abolishes the Select Committee on Intelligence which was created by H. Res. 138 and transfers the funds allocated to that select committee to the select committee created by this resolution. All papers, documents and others materials of the existing select committee are transferred to the new select committee.

#### SUMMARY OF THE MAJOR PROVISIONS

Section 2 of the bill provides that the select committee is authorized and directed to conduct an inquiry into:

(1) the collection, analysis, use and cost of intelligence information and allegations of illegal or improper activities of intelligence agencies in the United States and abroad;

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LEGISLATIVE HISTORY

(4) the need for improved or reorganized oversight by the Congress of the United States intelligence activities;

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Section 3 provides that the select committee, in carrying out the purposes of this resolution, is authorized to inquire into the activities of the following:

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- (2) the United States Intelligence Board;
- (3) the President's Foreign Intelligence Advisory Board;
- (4) the Central Intelligence Agency;
- (5) the Defense Intelligence Agency;
- (6) the intelligence components of the Departments of the Army, Navy, and Air Force;
- (7) the National Security Agency;
- (8) the Intelligence and Research Bureau of the Department of State;
- (9) the Federal Bureau of Investigation;
- (10) the Department of the Treasury and the Department of Justice;
- (11) The Energy Research and Development Administration; and
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COMMITTEE ACTION

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STATEMENT UNDER CLAUSE 2(1)(3), AND CLAUSE 2(1)(4) OF RULE XI OF THE RULES OF THE HOUSE OF REPRESENTATIVES

A. Oversight statement

The Committee made no special oversight findings on this resolution.

B. Budget statement

No budget statement is submitted.

C. Estimate of the Congressional Budget Office

No estimate or comparison was received from the Director of the Congressional Budget Office as referred to in subdivision (C) of Clause 2(1)(3) of House Rule XI.

D. Oversight findings and recommendations of the Committee on Government Operations

No findings or recommendations of the Committee on Government Operations were received as referred to in subdivision (d) of clause 2(1)(3) of House Rule XI.

CHANGES IN HOUSE RESOLUTION 138 ADOPTED BY THE 94TH CONGRESS

In compliance with clause 4(d) of rule XI of the Rules of the House of Representatives, the text which is proposed to be repealed is enclosed in black brackets and new matter is printed in italic:

**[Resolved,** That (a) there is hereby established in the House of Representatives a Select Committee on Intelligence to conduct an inquiry into the organization, operations, and oversight of the intelligence community of the United States Government.

(b) The select committee shall be composed of ten Members of the House of Representatives to be appointed by the Speaker. The Speaker shall designate one of the Members as chairman.

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(6) the intelligence components of the Departments of the Army, Navy, and Air Force;

(7) the National Security Agency;

(8) the Intelligence and Research Bureau of the Department of State;

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SEC. 6. (a) The select committee shall institute and carry out such rules and procedures as it may deem necessary to prevent (1) the disclosure, outside the select committee, of any information relating to the activities of the Central Intelligence Agency or any other department or agency of the Federal Government engaged in intelligence activities, obtained by the select committee during the course of its study and investigation, not authorized by the select committee to be disclosed; and (2) the disclosure, outside the select committee of any information which would adversely affect the intelligence activities of the Central Intelligence Agency in foreign countries or the intelligence activities in foreign countries of any other department or agency of the Federal Government.

(b) No employee of the select committee or any person engaged by contract or otherwise to perform services for the select committee shall be given access to any classified information by the select committee unless such employee or person has received an appropriate security clearance as determined by the select committee. The type of security clearance to be required in the case of any such employee or person shall, within the determination of the select committee, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by the select committee.

(c) As a condition for employment as described in section 5 of this resolution, each person shall agree not to accept any honorarium, royalty, or other payment for a speaking engagement, magazine article, book, or other endeavor connected with the investigation and study undertaken by this committee.

SEC. 7. The expenses of the select committee under this resolution shall not exceed \$750,000 of which amount not to exceed \$100,000 shall be available for the procurement of the services of individual consultants or organizations thereof. Such expenses shall be paid from the contingent fund of the House upon vouchers signed by the chairman of the select committee and approved by the Speaker.

SEC. 8. The select committee is authorized and directed to report to the House with respect to the matters covered by this resolution as soon as practicable but no later than January 3, 1976.

SEC. 9. The authority granted herein shall expire three months after the filing of the report with the House of Representatives.]

*Resolved, That (a) there is hereby established in the House of Representatives a Select Committee on Intelligence to conduct an inquiry into the organization, operations, and oversight of the intelligence community of the United States Government.*

*(b) The select committee shall be composed of thirteen Members of the House of Representatives to be appointed by the Speaker. The Speaker shall designate one of the Members as chairman.*

*(c) For the purposes of this resolution the select committee is authorized to sit during sessions of the House and during the present Congress whether or not the House has recessed or adjourned. A majority of the members of the select committee shall constitute a quorum.*

for the transaction of business except that the select committee may designate a lesser number as a quorum for the purpose of taking testimony.

SEC. 2. The select committee is authorized and directed to conduct an inquiry into—

- (1) the collection, analysis, use, and cost of intelligence information and allegations of illegal or improper activities of intelligence agencies in the United States and abroad;
- (2) the procedures and effectiveness of coordination among and between the various intelligence components of the United States Government;
- (3) the nature and extent of executive branch oversight and control of United States intelligence activities;
- (4) the need for improved or reorganized oversight by the Congress of United States intelligence activities;
- (5) the necessity, nature, and extent of overt and covert intelligence activities by United States intelligence instrumentalities in the United States and abroad;
- (6) the procedures for and means of the protection of sensitive intelligence information;
- (7) procedures for and means of the protection of rights and privileges of citizens of the United States from illegal or improper intelligence activities; and
- (8) such other related matters as the select committee shall deem necessary to carry out the purposes of this resolution.

SEC. 3. In carrying out the purposes of this resolution, the select committee is authorized to inquire into the activities of the following:

- (1) the National Security Council;
- (2) the United States Intelligence Board;
- (3) the President's Foreign Intelligence Advisory Board;
- (4) the Central Intelligence Agency;
- (5) the Defense Intelligence Agency;
- (6) the intelligence components of the Departments of the Army, Navy, and Air Force;
- (7) the National Security Agency;
- (8) the Intelligence and Research Bureau of the Department of State;
- (9) the Federal Bureau of Investigation;
- (10) the Department of the Treasury and the Department of Justice;
- (11) the Energy Research and Development Administration; and
- (12) any other instrumentalities of the United States Government engaged in or otherwise responsible for intelligence operations in the United States and abroad.

SEC. 4. The select committee may require, by subpoena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpoenas may be issued over the signature of the chairman of the select committee or any member designated by him, and may be served by any person designated by the chairman or such member. The chairman of the select committee, or any member designated by him, may administer oaths to any witness.

SEC. 5. To enable the select committee to carry out the purposes of this resolution, it is authorized to employ investigators, attorneys, consultants, or organizations thereof, and clerical, stenographic, and other assistance.

SEC. 6. (a) The select committee shall institute and carry out such rules and procedures as it may deem necessary to prevent (1) the disclosure, outside the select committee, of any information relating to the activities of the Central Intelligence Agency or any other department or agency of the Federal Government engaged in intelligence activities, obtained by the select committee during the course of its study and investigation, not authorized by the select committee to be disclosed; and (2) the disclosure, outside the select committee, of any information which would adversely affect the intelligence activities of the Central Intelligence Agency in foreign countries or the intelligence activities in foreign countries of any other department or agency of the Federal Government.

(b) No employee of the select committee or any person engaged by contract or otherwise to perform services for the select committee shall be given access to any classified information by the select committee unless such employee or person has received an appropriate security clearance as determined by the select committee. The type of security clearance to be required in the case of any such employee or person shall, within the determination of the select committee, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by the select committee.

(c) As a condition for employment as described in section 5 of this resolution, each person shall agree not to accept any honorarium, royalty, or other payment for a speaking engagement, magazine article, book, or other endeavor connected with the investigation and study undertaken by this committee.

SEC. 7. The expenses of the select committee under this resolution shall not exceed \$750,000 of which amount not to exceed \$100,000 shall be available for the procurement of the services of individual consultants or organizations thereof. Such expenses shall be paid from the contingent fund of the House upon vouchers signed by the chairman of the select committee and approved by the Speaker.

SEC. 8. The select committee is authorized and directed to report to the House with respect to the matters covered by this resolution as soon as practicable but no later than January 3, 1976.

SEC. 9. The authority granted herein shall expire three months after the filing of the report with the House of Representatives.

SEC. 10. The Select Committee established by H. Res. 138 is abolished immediately upon the adoption of this resolution. Unexpended funds authorized for the use of the Select Committee under H. Res. 138 and all papers, documents, and other materials generated by the select committee shall be transferred immediately upon the adoption of this resolution to the select committee created by this resolution.

I have already indicated several excellent bills are now pending in the committee to accomplish this. There is no reason why the House should not report such a bill to the House before the August recess once the House makes clear through the adoption of my resolution that this is the course it wishes to pursue. Since my resolution also provides for the creation of an ad hoc committee on intelligence oversight, the House would be no more likely to delay the creation of such a committee than it is to delay the creation of the joint committee on intelligence oversight.

**ADDITIONAL VIEWS OF THE HONORABLE**

**JOHN B. ANDERSON**

At this critical impasse in the intelligence inquiry, the House must decide whether it simply wants to play a game of reverse musical chairs with its intelligence committee (add more chairs for more players to march in wider circles to the same tune), or whether it wants to seize on the moment to take a more constructive step forward by both completing the present investigation and creating a more permanent intelligence oversight mechanism for the Congress.

House Resolution 591 adopts the former approach in the hope that dilution is the solution (especially if certain active and inactive ingredients can be separated in the process). This would seem to be a workable formula (assuming the new solvent mixes well with the base). But no mix of magic potions (or metaphors) can cloud the fact that we are going to rather lengthy extremes to accomplish a very limited objective: we are abolishing a committee for the sole purpose of removing one or two members, then resurrecting it (Phoenix-like) with an expanded membership.

As long as we're going to all this trouble, would it not make sense to accomplish more in the process, namely, taking the first step toward creating a permanent joint committee on intelligence oversight? Is there any reason to wait another six months or more for the House and Senate intelligence committees to make this inevitable recommendation, especially when it has already been proposed by the Rockefeller and Murphy commissions and numerous bills and resolutions have been introduced to implement this proposal?

I intend to offer a substitute resolution aimed at achieving the dual objectives of completing the present investigation and moving forward on the joint committee proposal. Under the terms of my substitute, as soon as the House adopts a bill or resolution creating a permanent joint committee on intelligence oversight (by whatever name), it shall be in order to immediately appoint the House members for the purpose of assuming the full authority presently delegated to our Select Committee on Intelligence. The House half of the joint committee would serve as an interim ad hoc committee on intelligence until such time that the Senate takes final action on the joint committee proposal. The interim ad hoc committee would operate under the provisions and conditions, and using the remaining available funds, of House Resolution 138 (which established the Select Committee on Intelligence), and all papers, documents and other materials generated by the Select Committee would be transferred to the interim ad hoc committee.

The main objection raised to this proposal is that there would be a lull in the investigation between the adoption of my resolution and subsequent House action on the joint committee measure. I do not think this presents a significant problem in that the chairman of the Rules Committee pledged on July 10 to set hearings on the joint committee proposal at the earliest convenience of the committee. And, as

I have already indicated, several excellent bills are now pending in the committee to accomplish this. There is no reason why the Rules Committee could not report such a bill to the House before the August recess once the House makes clear through the adoption of my resolution that this is the course it wishes to pursue. Since my resolution also provides for the payment of select committee staff salaries one month beyond the abolition of the select committee, there would be no problem for the new interim ad hoc committee to retain what existing staff it desired.

In conclusion, I would urge the House to take a positive step forward through the adoption of my substitute rather than simply shuffling a few chairs.

JOHN B. ANDERSON.

...the present investigation and creating a more permanent intelligence oversight mechanism for the Congress. House Resolution 691 adopts the former approach in the hope that attention is the solution (especially if certain active and inactive investigators can be separated in the process). This would seem to be a... (text continues, largely illegible due to bleed-through from the reverse side of the page)

94TH CONGRESS  
1ST SESSION

# H. RES. 591

[Report No. 94-351]

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## IN THE HOUSE OF REPRESENTATIVES

JULY 11, 1975

Mr. BOLLING, from the Committee on Rules, reported the following resolution;  
which was referred to the House Calendar and ordered to be printed

JULY 17, 1975

Considered, amended, and agreed to

---

## RESOLUTION

1       *Resolved*, That (a) there is hereby established in the  
2 House of Representatives a Select Committee on Intelligence  
3 to conduct an inquiry into the organization, operations, and  
4 oversight of the intelligence community of the United States  
5 Government.

6       (b) The select committee shall be composed of thirteen  
7 Members of the House of Representatives to be appointed by  
8 the Speaker. The Speaker shall designate one of the members  
9 as chairman.

10       (c) For the purposes of this resolution the select com-  
11 mittee is authorized to sit during sessions of the House and  
12 during the present Congress whether or not the House has



1 recessed or adjourned. A majority of the members of the  
 2 select committee shall constitute a quorum for the transaction  
 3 of business except that the select committee may designate a  
 4 lesser number as a quorum for the purpose of taking  
 5 testimony.

6 SEC. 2. The select committee is authorized and directed  
 7 to conduct an inquiry into—

8 (1) the collection, analysis, use, and cost of intelli-  
 9 gence information and allegations of illegal or improper  
 10 activities of intelligence agencies in the United States  
 11 and abroad;

12 (2) the procedures and effectiveness of coordination  
 13 among and between the various intelligence components  
 14 of the United States Government;

15 (3) the nature and extent of executive branch over-  
 16 sight and control of United States intelligence activities;

17 (4) the need for improved or reorganized oversight  
 18 by the Congress of United States intelligence activities;

19 (5) the necessity, nature, and extent of overt and  
 20 covert intelligence activities by United States intelligence  
 21 instrumentalities in the United States and abroad;

22 (6) the procedures for and means of the protection  
 23 of sensitive intelligence information;

24 (7) procedures for and means of the protection of

1 rights and privileges of citizens of the United States from  
 2 illegal or improper intelligence activities; and

3 (8) such other related matters as the select com-  
 4 mittee shall deem necessary to carry out the purposes of  
 5 this resolution:

6 *Provided*, That the authority conferred by this section shall  
 7 not be exercised until the committee shall have adopted the  
 8 rules, procedures, and regulations required by section 6 of  
 9 this resolution.

10 SEC. 3. In carrying out the purposes of this resolution,  
 11 the select committee is authorized to inquire into the activi-  
 12 ties of the following:

13 (1) the National Security Council;

14 (2) the United States Intelligence Board;

15 (3) the President's Foreign Intelligence Advisory  
 16 Board;

17 (4) the Central Intelligence Agency;

18 (5) the Defense Intelligence Agency;

19 (6) the intelligence components of the Departments  
 20 of the Army, Navy, and Air Force;

21 (7) the National Security Agency;

22 (8) the Intelligence and Research Bureau of the  
 23 Department of State;

24 (9) the Federal Bureau of Investigation;

1 (10) the Department of the Treasury and the  
2 Department of Justice;

3 (11) the Energy Research and Development  
4 Administration; and

5 (12) any other instrumentalities of the United  
6 States Government engaged in or otherwise responsible  
7 for intelligence operations in the United States and  
8 abroad.

9 SEC. 4. The select committee may require, by subpoena  
10 or otherwise, the attendance and testimony of such witnesses  
11 and the production of such books, records, correspondence,  
12 memorandums, papers, and documents as it deems neces-  
13 sary. Subpenas may be issued over the signature of the  
14 chairman of the select committee or any member designated  
15 by him, and may be served by any person designated by the  
16 chairman or such member. The chairman of the select com-  
17 mittee, or any member designated by him, may administer  
18 oaths to any witness.

19 SEC. 5. To enable the select committee to carry out the  
20 purposes of this resolution, it is authorized to employ investi-  
21 gators, attorneys, consultants, or organizations thereof, and  
22 clerical, stenographic, and other assistance.

23 SEC. 6. (a) The select committee shall institute and  
24 carry out such rules and procedures as it may deem neces-  
25 sary to prevent (1) the disclosure, outside the select com-

1 mittee, of any information relating to the activities of the  
2 Central Intelligence Agency or any other department or  
3 agency of the Federal Government engaged in intelligence  
4 activities, obtained by the select committee during the course  
5 of its study and investigation, not authorized by the select  
6 committee to be disclosed; and (2) the disclosure, outside  
7 the select committee, of any information which would ad-  
8 versely affect the intelligence activities of the Central In-  
9 telligence Agency in foreign countries or the intelligence  
10 activities in foreign countries of any other department or  
11 agency of the Federal Government.

12 (b) No employee of the select committee or any person  
13 engaged by contract or otherwise to perform services for the  
14 select committee shall be given access to any classified infor-  
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16 son has received an appropriate security clearance as deter-  
17 mined by the select committee. The type of security clearance  
18 to be required in the case of any such employee or person  
19 shall, within the determination of the select committee, be  
20 commensurate with the sensitivity of the classified informa-  
21 tion to which such employee or person will be given access  
22 by the select committee.

23 (c) As a condition for employment as described in sec-  
24 tion 5 of this resolution, each person shall agree not to  
25 accept any honorarium, royalty, or other payment for a

1 speaking engagement, magazine article, book, or other en-  
2 deavor connected with the investigation and study under-  
3 taken by this committee.

4 SEC. 7. The expenses of the select committee under this  
5 resolution shall not exceed \$750,000 of which amount not to  
6 exceed \$100,000 shall be available for the procurement of  
7 the services of individual consultants or organizations thereof.  
8 Such expenses shall be paid from the contingent fund of the  
9 House upon vouchers signed by the chairman of the select  
10 committee and approved by the Speaker.

11 SEC. 8. The select committee is authorized and directed  
12 to report to the House with respect to the matters covered  
13 by this resolution as soon as practicable but no later than  
14 January 31, 1976.

15 SEC. 9. The authority granted herein shall expire three  
16 months after the filing of the report with the House of Rep-  
17 resentatives.

18 SEC. 10. The select committee established by H. Res.  
19 138 is abolished immediately upon the adoption of this resolu-  
20 tion. Unexpended funds authorized for the use of the select  
21 committee under H. Res. 138 and all papers, documents,  
22 and other materials generated by the select committee shall  
23 be transferred immediately upon the adoption of this resolu-  
24 tion to the select committee created by this resolution.

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94TH CONGRESS  
1ST SESSION

# H. RES. 591

[Report No. 94-351]

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## RESOLUTION

Establishing a Select Committee on  
Intelligence.

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By Mr. BOLLING

JULY 11, 1975

Referred to the House Calendar and ordered to be  
printed

JULY 17, 1975

Considered, amended, and agreed to

94TH CONGRESS  
1ST SESSION

# H. RES. 591

[Report No. 94-351]

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## IN THE HOUSE OF REPRESENTATIVES

JULY 11, 1975

Mr. BOLLING, from the Committee on Rules, reported the following resolution;  
which was referred to the House Calendar and ordered to be printed

JULY 17, 1975

Considered, amended, and agreed to

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## RESOLUTION

1        *Resolved*, That (a) there is hereby established in the  
2 House of Representatives a Select Committee on Intelligence  
3 to conduct an inquiry into the organization, operations, and  
4 oversight of the intelligence community of the United States  
5 Government.

6        (b) The select committee shall be composed of thirteen  
7 Members of the House of Representatives to be appointed by  
8 the Speaker. The Speaker shall designate one of the members  
9 as chairman.

10       (c) For the purposes of this resolution the select com-  
11 mittee is authorized to sit during sessions of the House and  
12 during the present Congress whether or not the House has

1 recessed or adjourned. A majority of the members of the  
 2 select committee shall constitute a quorum for the transaction  
 3 of business ~~except that~~ the select committee may designate a  
 4 lesser number as a quorum for the purpose of taking  
 5 testimony.

6 SEC. 2. The select committee is authorized and directed  
 7 to conduct an inquiry into—

8 (1) the collection, analysis, use, and cost of intelli-  
 9 gence information and allegations of illegal or improper  
 10 activities of intelligence agencies in the United States  
 11 and abroad;

12 (2) the procedures and effectiveness of coordination  
 13 among and between the various intelligence components  
 14 of the United States Government;

15 (3) the nature and extent of executive branch over-  
 16 sight and control of United States intelligence activities;

17 (4) the need for improved or reorganized oversight  
 18 by the Congress of United States intelligence activities;

19 (5) the necessity, nature, and extent of overt and  
 20 covert intelligence activities by United States intelligence  
 21 instrumentalities in the United States and abroad;

22 (6) the procedures for and means of the protection  
 23 of sensitive intelligence information;

24 (7) procedures for and means of the protection of

1 rights and privileges of citizens of the United States from  
 2 illegal or improper intelligence activities; and

3 (8) such other related matters as the select com-  
 4 mittee shall deem necessary to carry out the purposes of  
 5 this resolution:

6 *Provided*, That the authority conferred by this section shall  
 7 not be exercised until the committee shall have adopted the  
 8 rules, procedures, and regulations required by section 6 of  
 9 this resolution.

10 SEC. 3. In carrying out the purposes of this resolution,  
 11 the select committee is authorized to inquire into the activi-  
 12 ties of the following:

13 (1) the National Security Council;

14 (2) the United States Intelligence Board;

15 (3) the President's Foreign Intelligence Advisory  
 16 Board;

17 (4) the Central Intelligence Agency;

18 (5) the Defense Intelligence Agency;

19 (6) the intelligence components of the Departments  
 20 of the Army, Navy, and Air Force;

21 (7) the National Security Agency;

22 (8) the Intelligence and Research Bureau of the  
 23 Department of State;

24 (9) the Federal Bureau of Investigation;

1 (10) the Department of the Treasury and the  
2 Department of Justice;

3 (11) the Energy Research and Development  
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5 (12) any other instrumentalities of the United  
6 States Government engaged in or otherwise responsible  
7 for intelligence operations in the United States and  
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9 SEC. 4. The select committee may require, by subpoena  
10 or otherwise, the attendance and testimony of such witnesses  
11 and the production of such books, records, correspondence,  
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14 chairman of the select committee or any member designated  
15 by him, and may be served by any person designated by the  
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22 clerical, stenographic, and other assistance.

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5 of its study and investigation, not authorized by the select  
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8 versely affect the intelligence activities of the Central In-  
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12 (b) No employee of the select committee or any person  
13 engaged by contract or otherwise to perform services for the  
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21 tion to which such employee or person will be given access  
22 by the select committee.

23 (c) As a condition for employment as described in sec-  
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25 accept any honorarium, royalty, or other payment for a

1 speaking engagement, magazine article, book, or other en-  
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5 resolution shall not exceed \$750,000 of which amount not to  
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7 the services of individual consultants or organizations thereof.  
8 Such expenses shall be paid from the contingent fund of the  
9 House upon vouchers signed by the chairman of the select  
10 committee and approved by the Speaker.

11 SEC. 8. The select committee is authorized and directed  
12 to report to the House with respect to the matters covered  
13 by this resolution as soon as practicable but no later than  
14 January 31, 1976.

15 SEC. 9. The authority granted herein shall expire three  
16 months after the filing of the report with the House of Rep-  
17 resentatives.

18 SEC. 10. The select committee established by H. Res.  
19 138 is abolished immediately upon the adoption of this resolu-  
20 tion. Unexpended funds authorized for the use of the select  
21 committee under H. Res. 138 and all papers, documents,  
22 and other materials generated by the select committee shall  
23 be transferred immediately upon the adoption of this resolu-  
24 tion to the select committee created by this resolution.

94TH CONGRESS  
1ST SESSION

# H. RES. 591

[Report No. 94-351]

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## RESOLUTION

Establishing a Select Committee on  
Intelligence.

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---

By Mr. BOLLING

JULY 11, 1975

Referred to the House Calendar and ordered to be  
printed

JULY 17, 1975

Considered, amended, and agreed to

corrected and that the date be January 31, 1976.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BAUMAN. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, since this resolution comes out of the Committee on Rules, I will take this time to ask a question about section 7.

That section says that the expenses of the select committee created by this resolution shall not exceed \$750,000. In section 10, further language appears reading—

Unexpended funds authorized for the use of the Select Committee under H. Res. 138.

et cetera, shall be transferred to the newly created committee.

I raise the questions whether these provisions in effect, are doubling the money to be expended. I understand that there is about \$725,000 remaining from the old, or about to be former committee, if that is the will of the House. My question is will these two sums be added together for this new committee granting nearly \$1,400,000. That would be enough to impeach a President.

Mr. BOLLING. We have checked this out very carefully, that the limitation of the new committee is three-quarters of a million dollars, \$750,000, including any money from any other source. In other words, this is not a duplication. This is a limitation which is identical to the original limitation, and there is no duplication.

Mr. BAUMAN. I thank the gentleman for that welcome assurance.

Mr. BOLLING. Mr. Speaker, I reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield myself as much time as I may use.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks.)

Mr. QUILLEN. Mr. Speaker, the gentleman from Missouri (Mr. BOLLING) has explained the provisions of the resolution. I voted against the resolution in the Rules Committee, although this evening I see no objection to this House debating the resolution abolishing the Select Committee on Intelligence and considering the amendment of the gentleman from Missouri (Mr. BOLLING).

When we finish general debate on the Bolling resolution, I shall ask the Speaker's permission to offer my amendment in the nature of a substitute to clearly and definitely abolish the Select Committee on Intelligence, feeling that there have already been enough investigations made of the CIA.

The Rockefeller Commission has made its report. The Church Committee in the Senate now has the CIA under full investigation. I see no reason that this House should create a Select Committee or special committee for further consideration and further investigation of this agency of the government.

Therefore, Mr. Speaker, I shall offer an amendment in the nature of a sub-

stitute to abolish, but at this time I have no reservation on the rule as presented.

Mr. Speaker, I have no further requests for time, but I reserve the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The Resolution was agreed to.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make a statement relative to a request made by the gentleman from Missouri while House Resolution 596, the rule for the consideration of House Resolution 591, was under consideration in the House. The Chair entertained a request to make a technical correction in House Resolution 591. The resolution establishing a Select Committee on Intelligence, because the Chair understood that the request was being made to correct an error in the rule itself.

The Chair must state that the request to correct House Resolution 591 was not made at the proper point in the proceedings. However, the error in House Resolution 591 may be corrected at a later point in the proceedings on that resolution.

#### ESTABLISHING A SELECT COMMITTEE ON INTELLIGENCE

Mr. BOLLING. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. Res. 591) establishing a Select Committee on Intelligence.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri (Mr. BOLLING).

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution House Resolution 591, with Mr. EVANS of Colorado in the Chair.

The Clerk read the title of the resolution.

By unanimous consent, the first reading of the resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Missouri (Mr. BOLLING) will be recognized for 1 hour, and the gentleman from Tennessee (Mr. QUILLEN) will be recognized for 1 hour.

The Chair recognizes the gentleman from Missouri.

Mr. BOLLING. Mr. Chairman, I yield myself 5 minutes.

(Mr. BOLLING asked and was given permission to revise and extend his remarks.)

Mr. BOLLING. Mr. Chairman, I know that the members of the committee are tired, that this is a bad night, and that the prospect of having 2 hours of general debate on any subject would be rather hard on most Members. But this matter is being brought up now, as I tried to

state, simply because there really is no other time on the schedule when it can be handled between now and August 1.

Mr. Chairman, the proposal that is before us probably does not really suit anybody. It grows out of a very, very complicated situation, which I am not even going to attempt to judge. I do not believe that anybody is all right in this situation or that anybody is all wrong in the situation. I do believe that it is incumbent upon the Members of the House of Representatives and the House as a whole to deal with this situation.

The Committee on Rules, after a considerable amount of thought and a considerable amount of delay, not unanimously, but by a two to one vote, decided that this was the best way it could figure out to come up with a recommendation that the whole House might accept, a recommendation that would change the situation within the Select Committee on Intelligence enough so that it might get off dead center.

It clearly probably will please no one, it probably is not a perfect solution because there is no perfect solution to this particular problem. But it does represent a solution that might work after months of effective inaction.

Mr. Chairman, I am not the least bit interested in who is at fault. It seems to me that this committee should have an opportunity to see if it can organize itself and function, and the only way we could see to come together in the Committee on Rules was to reestablish the committee with 13 members and abolish the old one so that the matter could be started again.

For all I know, the House will turn this down. For all I know, if it does not turn it down and it succeeds, the whole attempt may fail. But nobody came up with a solution that seemed to have as much possibility of success as this compromise on top of a compromise on top of a compromise.

The attempt is to make it possible for the House of Representatives to have a Select Committee on Intelligence with a broad jurisdiction which can carry forward to a conclusion the work that has not gone forward for a number of months. That is the only purpose. The Members will notice that I am trying very hard to leave everybody involved out of it. I am reasonably sure that that will not be a total success, but as far as I am concerned I have stated accurately my reason for making the motion, the reason of the Committee on Rules for passing the motion.

I believe that this is the best way that we can proceed to try to proceed with this particular matter.

Ms. ABZUG. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I will be glad to yield to the gentlewoman.

Ms. ABZUG. I thank the gentleman for yielding. Mr. Chairman, it is very difficult to conduct a debate on a bill in this fashion, because what the gentleman is bringing before this House is a bill which merely establishes a Select Committee on Intelligence to conduct an inquiry into the organization, operation and oversight of the intelligence community.

The only difference between this resolution, from a quick reading of it, and the resolution previously before us is that it provides for an additional three members.

The CHAIRMAN. The time of the gentleman from Missouri (Mr. BOLLING) has expired.

Mr. BOLLING. Mr. Chairman, I yield myself 2 additional minutes.

Ms. ABZUG. Mr. Chairman, if the gentleman will yield further, could he, therefore, please explain on what basis we should agree to this resolution, adopt this committee, and abolish another committee without the gentleman addressing himself to the merits?

Mr. BOLLING. Mr. Chairman, I will be glad to. I will repeat what I said before.

As far as I am concerned, the only merit which should concern the House is not a question of conflict of individuals, if there was one, and not the difficulty in organizing the old committee, as there was one, but the fact that the House seems to have a Select Committee on Intelligence. As far as I am concerned, this is the closest that anybody has come to a suggestion as to how we can have a Select Committee on Intelligence which will organize and function.

Ms. ABZUG. Mr. Chairman, the difficulty I have with that is this: There are quite evidently members on that committee who do wish a vigorous investigation of the CIA. I can only assume that by a proposal which seeks to constitute a different committee, obviously the gentleman wishes to place new and other members on this committee. What the gentleman is suggesting in this resolution is that we should have a new committee composed of new members, without saying why that should be done. I think the real problem on this committee has been that there have been those who have been seeking a vigorous investigation of the CIA. And frankly—and I think it is about time we discussed this issue frankly—there was an unwillingness to proceed in that fashion on the part of the chairmanship of this committee.

I, therefore, think that if we are interested, as we must be, because of the important revelations that have come forward to date of the illegal activities of the CIA, in a vigorous investigation of the CIA, we should not agree to a resolution which appears to have an intention to replace members on the committee who are vigorously interested in investigating with those who may very well not be so interested.

The CHAIRMAN. The time of the gentleman from Missouri (Mr. BOLLING) has again expired.

Mr. BOLLING. Mr. Chairman, I yield myself 2 additional minutes, and I will not additionally to the gentleman from New York during those 2 minutes.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri (Mr. BOLLING).

Mr. BOLLING. Mr. Chairman, I am delighted that the gentleman from New York (Ms. ABZUG) has intervened as she has.

That, in my judgment, is not the issue. If the gentlewoman wishes to put that

construction on this matter, it is her privilege. My view of the matter is that there was no investigation of anything for about 6 months. For whatever reason, I cannot say, and the gentlewoman is just as competent as I to say.

I think what the House wants is an investigation that goes forward. The only way I can see to get an investigation that will go forward vigorously and to do what the mandate of the resolution calls for is to have a new committee.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I yield to my friend, the gentleman from Arizona (Mr. RHODES), the minority leader.

Mr. RHODES. Mr. Chairman, I am just a bit mystified as to the magic of the number, 13. As far as I can tell, the only difference between the committee to be established by the resolution and the previous committee is the difference in the membership of the committee, the change in membership from 10 to 13. I would just be interested in having some explanation as to why there is the difference.

Mr. BOLLING. Mr. Chairman, I do not think there is any magic in the number 13. Some members of the Committee on Rules thought seven members might be a good idea; some thought that 10 members might be a good idea.

This resolution, as did the previous one, leaves to the Speaker the right or the responsibility to appoint. In effect that means that he will appoint nine, and the minority leader will recommend and the Speaker will appoint four. What this does is give the Speaker, the appointing authority, additional flexibility as to personalities and numbers, and I hope it will be helpful in that respect.

Mr. RHODES. Mr. Chairman, I thank the gentleman.

Mr. QUILLEN. Mr. Chairman, I yield myself 5 minutes.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks.)

Mr. QUILLEN. Mr. Chairman, we are here this evening debating a resolution to reconstitute the Select Committee on Intelligence of the House with 13 members instead of 10, giving the Speaker authority to appoint these members, as is usual under the rules of the House.

The House created a Select Committee on Intelligence in good faith at the beginning of this session of the Congress. The members were appointed. Because of disagreement within their own ranks, no investigation has been made; and as a result, the House has suffered the consequences in the media throughout the country. Leaks have occurred, and I certainly do not infer that the appointed members of the select committee are responsible. However, if we pick up the newspapers, there is talk about leaks concerning the CIA involving the White House and even involving the Congress of the United States.

The Rockefeller Commission appointed by the President made a full and honest effort for an investigation of the CIA, and made a full report, leaving out the details of alleged assassination plots. The Church committee created by the Senate,

however, now has a full investigation underway of the CIA, while in the House here, after 6 months have elapsed, there has been no action whatsoever.

What assurance do we have if 13 Members are appointed that anything meaningful will come forth? The major focus has been on the CIA, but I wonder whether the Members of this House fully realize what the Select Committee on Intelligence really is authorized to delve into?

Let me repeat, the resolution that we passed here some 6 months ago gives this committee authority to investigate the National Security Council, the U.S. Intelligence Board, the President's Foreign Intelligence Advisory Board, the CIA, the Defense Intelligence Agency, the intelligence components of the Department of Army, Navy, and Air Force, the National Security Agency, the Intelligence and Research Bureau of the Department of State, the Federal Bureau of Investigation, the Department of the Treasury, and the Department of Justice, the Energy Research and Development Administration, and any other instrumentalities of the U.S. Government engaged in or otherwise responsible for intelligence operations in the United States and abroad.

My colleagues, what have we done? If we reconstitute this select committee, we have given the members of this committee an official license to go on a witch-hunt and do whatever they like.

I think that investigations are important, but they should not be unnecessary duplication. I would like to see us this evening abolish this select committee without the creation of another, and then with due deliberation, after a few days, after committee hearings, do whatever is necessary to recreate another committee, possibly in conjunction with the Senate.

I say tonight, when we go into the amendment stage on Wednesday, that I shall offer an amendment to abolish the select committee and do away with it altogether. I think this House would stand much taller as a unit if we could accomplish that.

Mr. BOLLING. Mr. Chairman, I yield 3 minutes to the gentleman from Mississippi (Mr. MONTGOMERY) for the purpose of speaking out of order.

(By unanimous consent, Mr. MONTGOMERY was allowed to speak out of order.)

TO ESTABLISH A SELECT COMMITTEE ON POWS AND MIAs

Mr. MONTGOMERY asked and was given permission to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Chairman, I thank the Chairman, the gentleman from Missouri (Mr. BOLLING), for giving me this opportunity.

Mr. Chairman, I would like to talk briefly and I think that the subject I will mention does refer to this issue being debated tonight.

In March of this year, Mr. Chairman, I and other members introduced a resolution pertaining to the missing in action, setting up a House select committee to try and find out some up-to-date report on the 37 Americans still classified

as POW's, the 980 Americans classified as missing in action, and the 1,100 Americans missing in action, but whose bodies have never been recovered.

Mr. Chairman, I am not standing here criticizing the Committee on Rules, or its Chairman. I think they have been fair to me and to the authors of this resolution, but I would like to point out that over 270 Members of the House of Representatives have signed this resolution asking that a select committee be established.

We have gone before our Committee on Rules. Since I have been before the Committee on Rules, this Committee has reported out a joint select committee for the Bicentennial, which I think is certainly necessary. We are also now talking about another intelligence committee which has also been voted out by the Committee on Rules.

As I see it, Mr. Chairman, there is a new ballgame in Southeast Asia. In my opinion, if we could get some international group to go to these crash sites, and if we could show some interest back in the United States by setting up this select committee, that the House of Representatives does care and this committee is formed; I truly believe we can come up with some type of finalization, some type of answers on the missing in action. This will bring some comfort to the loved ones that Congress has not forgotten its brave men.

I have talked to the Speaker of the House, and there is a possibility that we could find space for this select committee. The commission does not need a big staff, but Mr. Chairman, I assure you we would go to work at once if given the chance. It just seems to me that if we were ever going to arrive at any type of final announcement on the missing in action and the American bodies that should be brought home for proper burial that we do need this select committee to show the North Vietnamese that these Americans have not been forgotten.

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I will be glad to yield to the gentlewoman from New Jersey.

(Mrs. FENWICK asked and was given permission to revise and extend her remarks.)

Mrs. FENWICK. Mr. Chairman, I thank the gentleman from Mississippi for yielding to me. I would like to associate myself with the gentleman's remarks, and express my support for his opinions and his conclusions.

Mr. MONTGOMERY. Mr. Chairman, I thank the gentlewoman.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from New York.

(Mr. OTTINGER asked and was given permission to revise and extend his remarks.)

Mr. OTTINGER. Mr. Chairman, I certainly applaud the gentleman from Mississippi for his leadership on this very important issue. I just think that the State Department has neglected taking action on this, and it is up to us to provide the initiative. I certainly join the

gentleman from Mississippi in his efforts, and hope that the Committee on Rules and the leadership of the House will support the gentleman's efforts.

Mr. MONTGOMERY. Mr. Chairman, I thank the gentleman very much.

Mrs. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentlewoman from Louisiana.

(Mrs. BOGGS asked and was given permission to revise and extend her remarks.)

Mrs. BOGGS. Mr. Chairman, I fully support the suggestions made by the gentleman from Mississippi (Mr. MONTGOMERY) and commend the gentleman for bringing this before this body at this time.

I would like to say to this body personally that when Hale disappeared that the families of the MIA's and the POW's were the most supportive in our efforts to try to locate him, and also the body of the late Nick Begich.

I think that we owe all of those families the same consideration that they showed to us under similar circumstances.

Mr. MONTGOMERY. I thank the gentlewoman.

Mr. GUYER. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Ohio.

(Mr. GUYER asked and was given permission to revise and extend his remarks.)

Mr. GUYER. Mr. Chairman, as one who has tried to work closely with the families of those missing in action and the prisoners of war, I share in their heartache, because there have been times when they thought that nobody cared.

We have appealed and worked through two Secretaries of State and two Presidents. It is difficult to go from the Defense Department to the State Department and back again.

As the gentleman from Mississippi knows, we have also sent a personal letter to the Prime Minister of North Vietnam to appeal to their authorities to see if we could find a way to get to those that we have been told have been seen.

In my State of Ohio we still have 58 unaccounted for, and seven of them are supposed to be living. Holding back information by those who hold such prisoners is a well-known fact, even to the extent in Russia, where they found in Siberia some prisoners who had been left over from World War II. They have every reason to believe that there are those still alive over in those sites. But we have a moral obligation for a full accounting. I join the gentleman not only as a cosponsor but as one who applauds this effort today.

Mr. MONTGOMERY. I thank the gentleman, and I certainly hope that the Committee on Rules will take action on this resolution. I apologize for speaking out of order, and I apologize for sitting down; but, as the chairman knows, I slightly injured my neck a few days ago.

The CHAIRMAN. The time of the gentleman has expired.

Mr. QUILLEN. Mr. Chairman, I yield

5 minutes to the gentleman from Illinois (Mr. ANDERSON).

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Chairman, I think that the distinguished gentlewoman from New York, with her usual forthrightness and candor, has correctly stated the issue when she has suggested that the essential defect in House Resolution 591 is that it simply would have the effect of changing the personnel on an existing committee. Frankly, I take a somewhat different view from my cherished colleague of the House Committee on Rules, the gentleman from Tennessee (Mr. QUILLEN) who would simply seek to abolish the present committee.

That committee, frankly, has been something of an embarrassment to the House, and I do not say that out of disrespect for any of the present members of that committee, but an embarrassment only in the sense that it has failed to function and that it has given the appearance somehow that the House was less effective as a body and as an institution in carrying out a sensitive investigation of the intelligence community than the other body.

I, for one, do not believe that we are any less capable than they in pursuing the very, very important matters that are germane to an investigation of that kind. But, as the gentleman from Missouri has said—and he is my friend, and I respect him highly, and I realize that in good faith he has diligently sought to achieve a compromise—he very modestly himself has suggested that it is a compromise on a compromise on a compromise that may please nobody. In effect I think maybe that is what he has succeeded in doing—coming up with a resolution that really does not please anyone very much. But I do not think that is a very good reason for adopting a compromise, particularly when we have a viable alternative.

So I take this time to tell the members of the committee that at the appropriate time when this bill is read under the 5-minute rule, I will propose an amendment in the nature of a substitute which I think would have two objectives. It would serve the twin objectives of, first of all, dissolving the present select committee, because I am satisfied—and, indeed, I think most Members of this body are—that somehow, at least as presently constituted, that committee cannot usefully serve the purpose of investigating the intelligence community.

But I would go further than that. I would go further than simply reconstituting the present committee with a somewhat larger membership and pave the way for the creation of a permanent Joint Committee on Intelligence Oversight, thereby demonstrating to the nation that we in the House have the ability, have the acumen, if you will, to do what has already been recommended by the Rockefeller Commission on the CIA. It has already been recommended by the Murphy Commission on the Reorganization of the Conduct of Foreign Policy by the executive branch. It

undoubtedly is going to be recommended by the Senate committee, the so-called Church Committee, and any committee that we establish in this body would come in with a set of final recommendations, I am sure, and recommend that we establish a continuing body, a joint committee with the Senate, to provide for continuing oversight of the intelligence community.

So why should we wait? Why should we not be the first in this body to strike a blow for what is really needed and what has been needed for more than 10 years? I proposed a bill of that kind 10 years ago. Many Members of this body—I think more than 50 of them—joined in January of this year—the gentleman from Pennsylvania (Mr. BIESTER) who is here in the chamber, provided leadership—in the cause of trying to establish a Joint Committee on Intelligence.

So what I simply propose is a resolution that would work as follows: First, it would abolish the present Select Committee; second, it would transfer the documents of that committee to the Clerk of the House. Then it would provide that as soon as the House has acted on a measure to create a permanent joint committee, the House Members would immediately be appointed as an interim ad hoc committee of this House to complete the intelligence inquiry that was begun by the present select committee, and they would be allowed the staff and the funds that were originally provided under House Resolution 138.

Let me say I want to underscore the fact that it would be my intention to proceed very expeditiously with the second state of this two-stage proceeding, to proceed with the resolution to create the joint committee. And, as my colleagues on the Rules Committee know, when I raised this matter in the Rules Committee earlier this week, the distinguished chairman of that committee assured me that at the very earliest convenience of the committee he would be only too happy to convene the committee to conduct a hearing not only on the resolution which I have sponsored but which many other Members in this body also have cosponsored to set up such a joint committee on continuing oversight of the intelligence community.

Let us not take the action here of just achieving the very limited objective of abolishing the present committee so that it will be possible apparently to remove some of the members of that committee to break the impasse that now governs its deliberations. It seems to me that is the kind of game of musical chairs where we add more chairs for players to march in ever-widening circles.

We ought to be interested in striking new ground. I have no quarrels with the members of the present committee. I do not want to be a party to some maneuver or device either to make it easier to dump them unceremoniously or submerge them into a larger group so that somehow through the leavening influence of five new members we are going to make them easier to deal with.

That is not going to achieve my purpose here this evening. I want to achieve

something real and genuine, something that will prove this House had the foresight to act first in creating an ongoing joint committee that will provide the future supervision of the CIA and the intelligence community that will avoid some of the egregious examples, some of the horrors that we have seen of the mismanagement of that community as revealed in the press recently.

Mr. EDWARDS of California. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from California.

Mr. EDWARDS of California. Mr. Chairman, I thank the gentleman from Illinois for yielding.

I will admit it was one of the purposes of establishing the select committee and one of the mandates of the select committee to make recommendations in its final report to the House of Representatives. The gentleman by this process he suggests will bypass one of the mandates, which is to make that recommendation to the House.

Mr. ANDERSON of Illinois. I said earlier, I will say to the gentleman from California, that I feel it is absolutely inevitable that any select committee, whether it be of 10 or 13 or any other number of members, is going to come in with this recommendation. I feel certain the committee and the body is going to come up with this recommendation. Why therefore, in view of the fact that two Commissions have already made similar recommendations, should we wait? Why defer action if we can enjoy the double advantage of having House members of that committee serve here now as members of the interim ad hoc group working on this subject and still be in the vanguard of that joint committee we so desperately need? It seems to me we achieve two objectives in that case. We would avoid the charge that somehow we have attempted to paper over these differences and sweep under the rug the necessity for investigation, but at the same time we take the permanent action that is what I think we really want to see come out of this whole process.

Mr. QUILLLEN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois (Mr. McCLORY).

(Mr. McCLORY asked and was given permission to revise and extend his remarks.)

Mr. McCLORY. Mr. Chairman, I am certain that the Members will appreciate it if I do not consume my full 10 minutes; however, I do want to respond to some of the statements that have been made here already and to state very emphatically that I feel that this resolution should be adopted. As the ranking Republican on the committee, I want to assure the Members that as far as I am concerned and, as far as our side is concerned; we have been willing and anxious to proceed without any delay ever since the committee was created and the frustrations have resulted from the difficulties which seem to be experienced on the majority side.

First of all, I want to reject any thought that any Members do not want to conduct a vigorous investigation of the CIA. In addition, I would like to

point out that we are charged with investigating the entire intelligence community, all of the agencies, and the resolution names twelve. And, we should name three more, because they talk about the Defense Intelligence Agency, which means the Army, Navy and the Air Force.

In order to get at this subject, it seems to me that we have to recognize how complex the intelligence community is and the genuine job that this House of Representatives has to undertake and to accomplish through getting some kind of coordination, some kind of order, some kind of elimination of duplication of the intelligence activities that are presently authorized and are being carried on.

Now, it should be of interest to the Members to determine, first of all, the total costs of our intelligence agencies. No one can tell us what our intelligence activities cost. As a matter of fact, the legislation itself prohibits the publication of the cost of operating the Central Intelligence Agency. Nevertheless, it seems to me that there should be authority and this committee should have the opportunity to determine what the total costs of these various intelligence programs are.

While the Rockefeller Commission has concentrated pretty much on domestic activities and abuses of the CIA operating in this country, and the Church Committee seems to be concentrating on overseas activities of the CIA, there is no committee which seems to be taking care of all these other intelligence activities which have been described and which the Members may study in a Congressional Research Services Report.

Now, I think it would be an abdication of our authority and I think it would be a sad mistake for us to decide here and now that we are going to put any reconstituted Select Committee on Intelligence out of business if a Joint Committee is agreed upon at a later date by the House and Senate. I agree with the gentleman from California—Mr. EDWARDS—who suggests that this should be one of the ultimate goals. This is one of the recommendations of the Rockefeller Commission. It undoubtedly will be a recommendation of the Church Commission. It will be a recommendation of this House select committee, but we have not decided yet what structure this Joint Committee should have, and what its role should be. All these things should be determined by the House select committee.

Now, the abolition of the House committee would be, it seems to me, a rejection of the responsibility which the House has. Insofar as oversight is concerned, Woodrow Wilson said that "The informing function of the Congress should be preferred before its legislative function." So, it seems to me when we are considering the oversight function of this House with regard to all the intelligence agencies, to go into the subject of duplications, abuses of authority and illegal actions, and also to take into consideration the deprivation of the constitutional rights of American citizens

who have been abused or who have been taken advantage of by these abuses or by illegal actions, that is a function this House should undertake proudly, thoroughly and completely.

I am hoping that with the new Membership that is being recommended can provide the kind of workable committee that I would like to see established here. I know that on our side of the aisle we are ready and willing to go ahead right now. We have been and we have performed our duties to the extent that we have been able. Our frustrations result from the disagreements which have occurred because of personality conflicts among Members on the majority side. While the conflicts do not directly concern me as a Republican, but which do concern this Congress and which should be resolved and would appear to be resolved by this resolution.

I am hopeful that we do not say that because somebody else is performing an investigative function that we are not going to assume what I regard as our rightful role and our rightful prerogative and responsibility.

I hope also that we are not going to place ourselves in a position where we would be out of business provided suddenly the Senate takes action with respect to acquiescing in a joint committee.

I am positive that we can do—not a sensational job—but a responsible job which needs to be done with respect to our numerous intelligence agencies.

We can help to coordinate them and thus bring order out of this chaos for the benefit of the American people and the American taxpayer.

Mr. Chairman, as the ranking minority member of the current Select Committee on Intelligence, I am in strong support of House Resolution 591.

The need for an independent House investigation of the intelligence community has been clearly established. My work in the investigation to date under the present structure has convinced me that the House has a compelling and immediate responsibility to assure the American people that their elected representatives are conducting effective oversight of the U.S. intelligence agencies and that the people's constitutional rights are not being abused or violated by their own Government.

The present select committee was taking responsible action to fulfill this duty when conflicts on the majority side caused a stalemate which frustrated further investigation. In this regard, let me stress that the problem with the current select committee is not its mandate; it is its membership—and the seemingly irreconcilable personal conflicts which have arisen.

Mr. Chairman, as a Member of this House, I say that it is intolerable that this legitimate congressional inquiry should be frustrated. The question which the House must resolve today is whether it will press forward with its duty to inquire or whether it will allow personality conflicts to defeat it in one of its most important areas of responsibility. Under the oath of office which we all have

taken, there can only be one responsible course of action at this time.

We ought to promptly enact House Resolution 591 without amendment—to allow this important and legitimate investigation to proceed expeditiously to meet its mandate. As I have said before, the real problem of the current select committee did not concern the scope of its jurisdiction; it did not concern the size of the committee—it had to do specifically and exclusively with conflicts on the majority side.

Therefore, it is not appropriate or necessary to severely restrict the scope of the committee's jurisdiction—and it is certainly improper and incorrect to suggest that the select committee ought to be abolished and the entire inquiry abandoned. The proper course, the responsible course, and the course most in keeping with our duties as Members of Congress is to pass this resolution reconstituting the membership of the select committee—so that its vitally necessary work can go forward.

Mr. Chairman, I should like to respond to allegations that the select committee will only be duplicating work already completed by the Rockefeller Commission or already begun by the Senate select committee. Indeed, the Rockefeller Commission has issued a very helpful report on the CIA within its mandate—but as we all recall, this investigation was linked to the domestic activities of this one agency. The Senate's study, on the other hand, appears to be concentrating primarily upon the CIA activities overseas and does not appear to be an overview of the entire intelligence community.

It is the duty of the House to insure that a responsible reasoned overview of the various intelligence agencies is undertaken. At this point we do not even know the amount of money spent on the gathering and dissemination of foreign and domestic intelligence. In order to be responsible on appropriations measures, we need to ascertain whether there is any duplication or waste in the activities of this necessary effort. Continuing this investigation will allow us to honestly say that we understand and are monitoring this complex operation.

In order to study the use, dissemination, and collection of intelligence most effectively, congressional investigators must have the jurisdiction to transcend traditional agency boundaries. To understand the extent to which coordination and efficiency problems exist, a study restricted to the Central Intelligence Agency alone will obviously not suffice. Not only does there appear to be a lack of substantive coordination, but there also seems to be a virtually complete absence of financial coordination within the intelligence community.

The American taxpayer is entitled to feel confident that his dollars are spent not only in accordance with the law, but also in the most efficient manner possible. It is the responsibility of this House to assure the American people that duplication and unnecessary waste of manpower and resources do not permeate our intelligence services.

While no particular agency is on trial,

a study of only a limited aspect of our vast intelligence network will not serve to enlighten the public as to the valuable services provided by the dedicated agents and law enforcement personnel which make up the community.

Mr. Chairman, I should also like to address myself briefly to the amendment to be offered by my friend from Illinois (Mr. ANDERSON). The gentleman's intentions are commendable, and I feel certain that one ultimate recommendation of any examination of congressional oversight capabilities will be the creation of a Joint Committee on Intelligence, but I believe that this amendment ought to be opposed at this time.

First of all, as a practical matter, the gentleman's amendment is structured so that there is an unacceptable time lag between the abolition of the current investigation and the establishment of any ad hoc committee which the gentleman envisions. More importantly, we need to improve our understanding of the way which the intelligence agencies actually function—before we will know what is the best way of structuring an effective joint committee. There is virtually unanimous agreement on the need for a permanent Joint Committee for Intelligence Oversight—but no one has conducted an in-depth study of various alternative ways of structuring such a joint committee—and this task, to my mind, is one of the areas in which a reconstituted select committee can make a most valuable contribution. Let a new select committee study this important issue until the end of this year—then let us join with the Senate upon completion of its separate investigation in establishing a joint committee in its most reasonable and effective form.

Mr. BOLLING. Mr. Chairman, I yield 8 minutes to the distinguished gentleman from California (Mr. DELLUMS).

(Mr. DELLUMS asked and was given permission to revise and extend his remarks.)

Mr. DELLUMS. Mr. Chairman, I rise in opposition to this resolution. I am presently a member of the Special Select Committee on Intelligence. I sought this assignment; I coveted this assignment. I see it as perhaps my most responsible, most important responsibility in the 4½ years I have been in the U.S. Congress. To investigate the allegations of law violations and crime on the part of any governmental agency is extraordinarily and awesomely important.

The assignment of this particular committee, it seems to me, requires greatness in this House, not mediocrity, not petty divisive issues that would tend not to allow us to function. I want very much to continue on this job. As the Members will find moving through the debate, virtually every single member of this committee wants to, has always wanted to, presently wants to, go forward with an aggressive investigation, with integrity and intelligence, with principle and professionalism.

So, what then is the question? If I can have the attention of the Members for just a few moments, the question that we must raise is, why are we taking this ac-

tion today? First, is it to abolish the entire investigation? I am pleased that the Rules Committee has not reported out a resolution to abolish the entire investigation. I am pleased to believe that the overwhelming majority of the Members of this Congress are not willing to destroy or end an entire investigation.

There are issues, problems, charges, abuses, allegations that we constitutionally, emotionally, intellectually, and politically must address ourselves to. That is our charge. The Constitution says the Congress shall make and oversee laws, so this is our responsibility.

So, abolishing the entire investigation cannot be the purpose of this resolution. I am pleased with that. What, then, is the reason? Is it to punish or otherwise penalize the majority of us presently on the committee? For what reason? What are the charges? I would remind my colleagues that this is ostensibly a nation of laws; this is ostensibly a democracy. This is a nation where our judicial system is based upon the assumption of innocence.

What are they charging the members of this committee with? Are they charging us with exercising our judgment in the first instance? To that charge I plead guilty. What was the judgment that I and the majority of the committee made? One day, the New York Times reported in an article that Mr. Colby, Director of the CIA, in direct response to a question of the Church committee—

Have you ever given this information, allegations of violations on the part of the Intelligence community, to Members of Congress?"

He responded in the affirmative and said:

Yes, I gave it to the present Chairperson of the Select Committee, the gentleman from Michigan.

The judgment we exercised was to simply say that if one of our members, the chairperson, had prior knowledge of even the allegation of murder as an instrument of foreign policy, that that should be repugnant to all of us and, this is the House of Representatives; no one person has the right to speak for us all. This is a group-oriented process with rather clearly defined procedures—subcommittee, full committee, Democratic and Republican caucus, steering committee, Committee of the Whole, and ultimately the floor of the Congress.

This is a group-oriented process. It means it must move through that process. Just the allegation of murder is something that should have moved it through that process.

So the majority of the Members exercising a judgment that I will always make—that we have the responsibility of upholding the Constitution of the United States.

When we came together at some point in the past as a group of people and decided we would band together as a nation of laws, that, to me, dictated that those of us with the privilege of governing the people must do so with impeccable integrity and a high sense of moral purpose and ethical behavior. To do anything else is a violation of the spirit and the intent of the government of laws that

we set up, that which is reflected in the Constitution of the United States.

So I would say to you if you are in charge you charge us with an evaluation, a judgment all of us have a right to make. I said to the gentleman from Michigan personally, publicly, and in the committee, and I say now, I felt in that instance that judgment was wrong, it should have come through the process. If I am to be guilty, then I am guilty of exercising that judgment. I do not think that is worthy of this action on the floor here today.

Mr. STRATTON. Mr. Chairman, will the gentleman yield on that point?

Mr. DELLUMS. Yes, I yield to the gentleman.

Mr. STRATTON. I thank the gentleman for yielding.

The gentleman has referred to the gentleman from Michigan and took issue with the gentleman from Michigan for not reporting to the House certain testimony that he had heard in executive session of the CIA Oversight Committee. Is it the contention of the gentleman from California that the gentleman from Michigan (Mr. NEDZI) should have come before this House and revealed publicly information he received?

Mr. DELLUMS. I have the thrust of the gentleman's question. I will yield no further.

I will answer the gentleman's question, and I will yield no further.

I am suggesting to the gentleman that there is a process. In 1973 I was a member of the Armed Services Committee. You could have called an executive session of the full Armed Services Committee to determine what action should be taken so that the majority of the total committee could work its will. If it decided that in some extraordinary session we should deal with it on the floor and the full Armed Services Committee should instruct the CIA to take action, that would have been appropriate.

Mr. STRATTON. Does the gentleman realize we are dealing with highly classified material and we cannot make that available to everybody in the Congress?

Mr. DELLUMS. I yield no further to the gentleman. The gentleman is taking my time.

Mr. STRATTON. This is the very basis of the—

Mr. DELLUMS. I yield no longer to the gentleman.

The CHAIRMAN. The gentleman has refused to yield.

Mr. DELLUMS. I respect the gentleman's right to stand in this well, and I would hope the gentleman would respect my right.

The subcommittee has some responsibility. It could have gone to the Committee on Armed Services. We could have taken some action.

Murder, even as an allegation, as an instrument of foreign policy is repulsive and ludicrous, and we should be addressing it.

We banded together as a group and made that judgment. I do not think we should be victimized because we made that judgment. So, too, we saw the need to operate within the spirit of the reform that we fought so hard for in the

92d, 93d, and 94th Congress. One can argue the technical question, but the spirit of reform merely points out the majority of the Members have a right to be involved in the issue, the development of a subcommittee and arriving at the number of people who would serve on that committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLLING. Mr. Chairman, I yield 3 additional minutes to the gentleman.

Mr. DELLUMS. A subcommittee was set up by receiving a letter. The letter said, "The Chair appoints the following members." Four people. Not in the spirit of coming together in the caucus of a committee to iron out these issues, but this happened, and the whole thing unraveled that we could not agree to make this committee a Committee of the Whole, with the gentleman from Ohio (Mr. STANTON) chairing the subcommittee. I think that was tragic, but nevertheless we tried to live with it.

Is it because we cannibalized or ambushed the chairman? I am not guilty of that. I do not eat people, and I would like to think I have a reputation in this House of not going around surreptitiously and challenging any Member. I am not an ambusher, and I do not think any other member of the committee is. I think that is an unfortunate characterization of our actions.

Is it because we voted to receive the resignation of the gentleman from Michigan (Mr. NEDZI)? The gentleman from Michigan stood in the well and said, "I resign."

I have talked with the gentleman from Michigan. He clearly wants to resign. But the House worked its will, and just as I get up every single morning and accept the will of the Members when the House works its will in matters diametrically opposed to what I believe, I accepted that in this case. We have lived with that decision.

We have said, if it be the will of the House that the gentleman from Michigan (Mr. NEDZI) chair the meetings, then let him chair the meetings and proceed. I have not backed off from that commitment, and I certainly shall not.

Is it, then, to get rid of the gentleman from Massachusetts (Mr. HARRINGTON)? I hope it is not. The gentleman from Massachusetts (Mr. HARRINGTON), after the vote on the floor, voluntarily said:

I give up my right to seniority. I will not try to seek the CIA committee.

But that was not enough.

Second, the gentleman from Massachusetts (Mr. HARRINGTON) has made no statement and has taken no action that would warrant his specific removal from this committee.

Mr. Chairman, the question has been raised by the Committee on Armed Services with respect to his conduct. There is now a resolution before the Committee on Standards of Official Conduct, but that in no way has anything to do with the question of whether he should be removed from this committee.

Where is our sense of fair play and justice and equity? We should judge the man with justice, we have always said.

I am willing to fight this out front. Let us not take a surreptitious route and in that way harm the gentleman from Massachusetts (Mr. HARRINGTON).

The gentleman has raised a critical important, valid question. That question will not go away by wiping out the gentleman from Massachusetts (Mr. HARRINGTON). It will go away when we address the question with intelligence and reason and arrive at some answer to the very important constitutional issue that has been raised.

Is it to dilute the present membership of the committee? I would not like to see that. There are some other committees that I would like to see diluted. Perhaps the Committee on Armed Services would be one of them. I am certainly in no way in the majority on that committee.

Are we using a precedent here that would allow us to dilute all other committees? Why are we adding these other three members?

I do not hear any rationale that allows me to arrive at a rational conclusion as to why that takes place.

Is it to break the impasse? There is no impasse. Nine of us have always said that we are willing to go to work. We accepted the decision. We voted to accept the resignation on the floor, and then we accepted the will of the House.

Mr. Chairman, I say that this is not the way to do it.

Mr. QUILLEN. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana (Mr. TREEN).

(Mr. TREEN asked and was given permission to revise and extend his remarks.)

Mr. TREEN. Mr. Chairman, as one of the members of the select committee, I would like to respond partially to the remarks made by the gentleman in the well, the gentleman from California (Mr. DELLUMS). And I might say that I respect him for the sincerity of the views that he expressed.

However, it seems to me that I should respond on the question the gentleman has asked: What is the charge against this committee?

As I understand it, the charge against the committee, purely and simply, is that the committee is not functioning. I believe that the gentleman from Missouri (Mr. BOLLING), the author of the resolution, has adequately explained this. For whatever reason, this committee is not now functioning, whether it is a matter of the personality of the chairman of the committee or of other members of the committee.

As the gentleman from Illinois (Mr. McCLODY) has stated previously, we have been ready on our side to go forward. I believe there are a number of members on the Democratic side who are ready to go forward. But the fact of the matter is that we have not had one substantive meeting in the 5 months of our existence. We have not even adopted the security regulations to control the staff on our committee. We have adopted some rules of procedure, and we have gone halfway through our security regulations. That is all we have done.

As I understand it, the only charge is that the committee is not functioning.

If the committee is not functioning, then we must do something.

I respect the gentleman from Missouri for his leadership in trying to resolve this dilemma. If the gentleman from California (Mr. DELLUMS) or any other member of the select committee or of the House has a suggestion for getting our present committee going, then I would be very happy to hear it.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. TREEN. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, why did the chairman of the committee not resign so that we could get a new one appointed and move on with the business?

Mr. TREEN. Well, the gentleman has offered a suggestion. I have no control over that. As I understand it, even though some members talked to the Speaker about finding some way to get the matter moving, the fact is that it has not been resolved.

I am not going to suggest to the committee that I think the chairman should resign or that he should not, or that perhaps some other people should resign. I will say, however, that this resolution gives the Speaker the opportunity to appoint new people. He may choose to appoint someone other than the chairman of the existing committee, and it seems to me that would solve the problem from the point of view of several members. The point is that the committee is not functioning, and I think that we must do something. Adequate time has elapsed. I think, for the majority Members to have found some solution other than the one here proposed.

Mr. Chairman, I would like to speak to one other point, the reason I asked for time in the first place, and that is as to the numbers on the proposed new committee. I do respect the efforts of the gentleman from Missouri, but I think 13 is too large a number, and I probably will offer an amendment—if the amendment to limit the committee to seven members, which I understand will be offered, fails. I will probably offer an amendment to limit it to 10.

The reason is simply this: we have 12 enumerated agencies of this Government to examine. If we take the August recess out, we have about 4½ to 5 months to do this job, and it is going to be extremely burdensome to begin to cover just overnight of the CIA alone. I understand that the CIA inquiry in the Senate has consumed the time of 78 of its 90 staff members. All they have done is cover the CIA. We in the House have the CIA and 11 other agencies to examine. If we have to do it with a 13-member committee, with each member having the right, as he should, to examine for at least 5 minutes, we are not going to get this job done.

Therefore, Mr. Chairman, I do hope that the committee will be sympathetic with the need for our concluding this investigation and thus keeping the select committee down to a reasonable size.

Mr. BOLLING. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York (Ms. ABZUG).

(Ms. ABZUG asked and was given permission to revise and extend her remarks.)

Ms. ABZUG. Mr. Chairman, when the gentleman from Missouri (Mr. BOLLING) presented the resolution, I tried to get some answers to my questions as to why the suggestion that we abolish one committee and replace it with one other would solve the problem.

Since that time there was, I think, a very excellent presentation on the part of Congressman DELLUMS, a member of that committee.

As a Member of the House, I have had some experience, though somewhat limited, with the CIA in my own committee, as chairman of that committee. I realize that there is an enormous amount of inquiry that is needed at this time.

A question was asked before about why the chairman of the committee did not resign, and my question goes much further than that. Clearly, there is a duly constituted committee with a chairman who offered a resignation and then sought the rejection of that resignation by the House—very strange behavior, in my opinion. I think that if he really wished to remain as chairman of that committee, all he had to do was to call meetings of the committee. After his resignation was rejected by this House he did not call meetings. He should then have resigned—because only his actions have prevented this committee from functioning.

My concern is that there is, in this kind of action, some considerable question as to whether those who seek to depose the present committee really want an investigation at all, because, frankly, if they did, then the question of having meetings called by a chairman could be answered here either by this Chair or by some other Chair, if this person did not wish to act.

The Speaker of this House has chosen a committee of perfectly competent Members who, obviously, by their behavior, have indicated that they wanted to act. The Committee on Rules acted upon a resolution by a Member of this House to get rid of that committee.

I think that the Committee on Rules acted improperly. I think this House should not act improperly. I think there is an intention to try to influence—I have no evidence of this, but I make this statement because it make no sense otherwise—a change in the composition of this committee in order to put on it, as I indicated in my question to the gentleman, persons who may not be as vigorous or as desirous of conducting an investigations as are the present members.

The very origin of this committee, I think, speaks for itself.

To have chosen a chairman of the committee who, already having been the chairman of an oversight committee on the CIA, who knew but did not make clear that the CIA had acted illegally, was wrong, in the first place.

People were prepared to go along with that. But I think the Members of this House should not allow themselves to be put into the position where they act improperly now that they have the ex-

perience of hindsight. The members of this select committee have functioned on the committee, and have shown their willingness to function. I think it would be inappropriate for any Member of this House to vote to replace those members, because a vote to abolish the committee and then to set up another committee, albeit one of 13 instead of 10 members is, in effect, saying "I am discharging, I am participating in the discharge of the members of this committee." In a sense we may be saying that we do not believe that they fulfilled or have fulfilled their responsibilities as members of this committee.

I would suggest to every single Member of this House: Put yourself in the place of the members on this committee. Would you want someone to act upon you in this manner? Is this the way to deal with our peers.

There is no basis to eliminate anybody from this committee, least of all the one who acted most vigorously to protect the Constitution, to protect the Congress, and to protect the American public in the face of serious illegal activities of the CIA, and that is the gentleman from Massachusetts (Mr. HARRINGTON).

If, indeed, there is no desire to prevent the committee from functioning properly or cast any aspersions on the members of this committee, then what this House should do is to say: Very well, somehow or other, some people think the committee would be better off if it had 3 more members—this magic number of 13 which is usually considered unlucky, but somehow is considered to be lucky by the members of the Committee on Rules—then that is fine. But I say we have an obligation to do at least one thing: to permit each Member who is presently a member of the select committee to choose whether he wishes to remain on that committee. This is his right—or her right, if there were a "her" on the committee, which is one of the deficiencies that the committee does have. But I believe that it is our responsibility as Members of this House of Representatives to say that, without any reasons having been presented to us and, indeed, there has not been one reason presented to us, that we have an obligation to support the Speaker's original choices of this committee that were selected to serve on this select committee. We gave the Speaker that authority, and it would look as though we were engaging in vain and ineffectual action if we now revoke it without reason, and say, OK, Mr. Speaker, give us another 13.

With respect to the joint committee proposal of the gentleman from Illinois (Mr. ANDERSON) let me say that that was a good proposal 10 years ago, but I am not so sure that it is a good proposal today. Many proposals will come forward to change the law with respect to the CIA—later—this may be one of them.

The fact is that what has already been revealed by investigation of the CIA by the Church committee, by this committee, and by several other committees of this House—requires that we go forward with this committee now. I oppose this

bill and will present an amendment to permit each present member to choose to remain on this committee if he so desires.

The CHAIRMAN. The time of the gentleman has expired.

(Ms. ABZUG asked and was given permission to revise and extend her remarks.)

Mr. QUILLEN. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. BIESTER).

(Mr. BIESTER asked and was given permission to revise and extend his remarks.)

Mr. BIESTER. Mr. Chairman, in a real sense it is a rather sad moment tonight. We set about as a responsible body to investigate the conduct of the CIA. And tonight we are replete with a sense of investigation about each other, and ourselves.

The substitute suggested by the gentleman from Illinois (Mr. ANDERSON) makes enormous sense. For, if we had had 10 years ago the kind of a joint committee that the gentleman from Illinois proposes, we would now have a committee which would have supervision over the Central Intelligence Agency, the National Security Agency, the DIA Agency, the President's Foreign Intelligence Advisory Board, the Intelligence and Research Bureau of the Department of State, and the Army, Navy, and Air Force intelligence components.

We would have a joint committee that would have the power of serving subpoenas; we would have a joint committee that would have the sole and exclusive jurisdiction over the legislative authorization for the functioning of all of those various agencies, and it would be a committee which would link oversight with clout.

What we have now is a situation in which we are disarrayed among ourselves even in trying to investigate only one of these intelligence agencies.

We find ourselves, Mr. Chairman, tonight involved in rancorous moments among themselves when our frustration should be displayed against the malconduct of those we seek to investigate. We are still engaged in the easier process of probing the problems of the past rather than trying to see to it that we set up a machinery for making the future more rational and the Constitution a more living document for our people.

We can take this moment, however, and the crisis it represents if we pursue the substitute offered by the gentleman from Illinois, and transform this moment from a negative one and a divisive one into one that is generative in terms of the procedures of this Congress linking both bodies in a consistent and durable legislative oversight, coupled with authority which would enable us, it seems to me, to get the kind of handle on the CIA the public has always expected us to get. We need not terminate our own investigation, but we can point toward a permanent national process for the future.

Mr. EDGAR. Mr. Chairman, will the gentleman yield?

Mr. BIESTER. I yield to the gentleman from Pennsylvania.

Mr. EDGAR. I thank the gentleman for yielding.

I would like to associate myself with the remarks of the gentleman in the well and also the gentleman from Illinois, Mr. ANDERSON. I have kind of a gut-level feeling that this is the right direction to go, and it is a direction I wanted to see us take back in the original formation of the committee. I appreciate the gentleman's remarks.

Mr. BIESTER. I thank the gentleman for his support.

Mr. Chairman, I yield back the balance of my time.

Mr. BOLLING. Mr. Chairman, I yield one minute to the gentleman from Michigan (Mr. CONYERS).

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Chairman, I am going to support H.R. 591 on the belief and confidence that the Speaker of the House of Representatives will not remove any presently appointed member from this committee. I think that doing so would strike to the heart of the question raised by my good friend and colleague, the gentleman from California, and I think it is probably the underlying secret troublesome issue of this resolution. I am putting all my confidence without reservation into one little pile and placing it before the Speaker's great office. It is out of this belief, it is out of this trust, it is out of this faith, it is out of my confidence that this entire committee will most appropriately be reappointed, and the several new members added, that I join in urging the support and passage of this resolution.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLLING. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. TSONGAS).

(Mr. TSONGAS asked and was given permission to revise and extend his remarks.)

Mr. TSONGAS. Mr. Chairman, I would like to pose a question, and that is, If the committee is reconstituted and if the reconstitution excludes the gentleman from Massachusetts (Mr. HARRINGTON) what message does that send to this country and to the Members of Congress, including those who just arrived? What lesson is to be drawn in the future when a Member of this body comes upon governmental illegalities. They violated laws of the land, the Constitution, and, indeed, the moral values that we favor and we embrace as a foundation of our society. It seems to me that lesson is very clear. Swallow one's concern. Internalize one's outrage or one risks the wrath and retribution of this body. I, for one, do not want to participate in writing that lesson in today's RECORD. Killing the messenger who bears the bad news, I think, is unworthy of this body. Perhaps we cannot praise the gentleman from Massachusetts (Mr. HARRINGTON) but I do not think we should bury him.

Mr. Chairman, I yield back the remainder of my time.

Mr. BOLLING. Mr. Chairman, I yield

3 minutes to the gentleman from Ohio (Mr. JAMES V. STANTON).

(Mr. JAMES V. STANTON asked and was given permission to revise and extend his remarks.)

Mr. JAMES V. STANTON. Mr. Chairman, my message is similar to that of the gentleman from Michigan. I rise in support of the resolution, and I rise in support of the resolution because I fundamentally believe, having experienced day-to-day since June 16 that this committee cannot function as it is presently constituted.

On June 16 on this floor, I indicated that I would vote to accept the resignation of the chairman of the select committee if he wanted to honestly offer his resignation, and I so voted.

We on the committee offered in terms of meeting with the Speaker and in terms of meeting with the leadership on our side of the aisle every reasonable opportunity to have this investigation go forward. I must say that the Speaker of this House exercised every good judgment, exercised every ability that he had, and exercised every persuasive power he had to have this committee go forward and function as a committee of the House. I do not stand here as an apologist for the Speaker or for any of the leadership, but I do say that there were those who did not want this committee to function and I have to say that in meeting the duty and our responsibility of House Resolution 138 and of any other mandate, the committee members themselves cannot drag the investigation to go forward. It needs a chairman to lead it.

I would hope that in the judgment of the Speaker who will be empowered to do so that he will appoint someone who has the ability, the desire, and the purpose to follow the mandate of the House, lead the investigation, and put those Members on the committee who want to return to continue the purpose of this investigation.

Mr. BOLLING. I yield 5 minutes to the gentleman from Connecticut (Mr. GIAIMO).

(Mr. GIAIMO asked and was given permission to revise and extend his remarks.)

Mr. GIAIMO. Mr. Chairman, I do not know whether to be in favor of this resolution or to oppose it. On the face of it, it seems like a perfectly harmless resolution. In fact it is almost identical with the resolution we passed in February, except that it has a final section 10 which abolishes the select committee created by House Resolution 138 and also it increases the membership from 10 to 13.

So therefore I think it is a fair question to ask the Rules Committee, which has proper jurisdiction over this matter: Why? Why is there a need to abolish the old committee and to create a new committee? Obviously there can be many reasons for this. We do not want to get into the pros and cons, as has been said here earlier, but I think we have to.

Is it to reconstitute, which is the word that has been used—is it to reconstitute, which means to create a new membership of the new committee? And, if so,

who is to be put back on and who is to be left off and why? Why?

I think we have to ask ourselves this question.

I think it is very obvious and clear from statements made by the chairman of the committee, the gentleman from Michigan—and I am sure he would be the first one to say it—that he seeks to resign from the committee, that he does not want to serve on the committee. And so be it.

So obviously that will be part of the reconstitution.

Those of us who have ears have heard comments in these halls throughout the past weeks and months and know of the feeling that some Members of the House have concerning the continued membership by the gentleman from Massachusetts (Mr. HARRINGTON) on this committee. I do not say we have to agree with what Mr. HARRINGTON says, believes, or speaks for. In fact I think I disagree with the gentleman from Massachusetts, Mr. MICHAEL HARRINGTON, more times than I agree with him, but I will say this: The gentleman from Massachusetts, MICHAEL HARRINGTON, has every right that every other Member of this House of Representatives has and he should have those rights as long as he is a Member of this body.

Now, is this committee being created to remove the gentleman from Massachusetts (Mr. HARRINGTON) from it? I think this is a fair question to ask.

Mr. DRINAN. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield briefly to the gentleman from Massachusetts (Mr. DRINAN). I do not have much time.

Mr. DRINAN. Mr. Chairman, I want to see the gentleman from Massachusetts (Mr. HARRINGTON) remain on this committee and the safe way for me to do it is to vote against this resolution, keeping the present membership and keeping the present committee.

I thank the gentleman for yielding.

Mr. GIAIMO. Mr. Chairman, there are 8 of us, 8 out of the 10 on the present committee, who I am sure desire to stay on the new committee, but as one of my colleagues said to me today, and I hope he said it jokingly when he said it, "Will you behave and be a good boy if you stay in the new committee?"

I hope that he was only joking, but I know how strong the feelings are in this matter of investigating the CIA. There are some who want no investigation of any of the intelligence agencies.

I will say from my limited experience with the intelligence agencies of the United States, that I am convinced that there is a very real need to look into their activities these many years and to be sure we have an adequate oversight by Congress. I am not one who is out to destroy them. I just want to make certain that they are not infringing on the rights of the American people and that we in Congress know what is going on. If there is anything of a wrong nature or wrong doing in their activities, we have a responsibility to look into it and to correct it.

So I do think in the little time that is

left to us in general debate, we should have some explanation given to us of what is the nature of the reconstitution? What is the reason for the need for abolishing the old committee and creating a new committee? Is it to accommodate a chairman who wanted to resign, but whose resignation was not accepted by the House and who does not want to continue further with the existing committee? Is it to remove one or more of the other members of the committee from continued membership in this investigation of the CIA? I think we are entitled to know.

More importantly than our being entitled to know, I think the American people are entitled to know why the House of Representatives has literally fiddled in this matter since early February when we constituted this committee and here it is near the end of July and we have still to get moving with the job to be done. I think we are entitled to these answers.

Mr. BOLLING. Mr. Chairman, I have two more speakers. I understand the gentleman from Tennessee has one speaker alone. I wish that the gentleman from Tennessee would yield to his speaker after I yield to one more person.

Mr. QUILLEN. Yes, certainly.

Mr. BOLLING. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts (Mr. HARRINGTON).

(Mr. HARRINGTON asked and was given permission to revise and extend his remarks.)

Mr. HARRINGTON. Mr. Chairman, first let me express my appreciation to my colleagues from Massachusetts, who with varying degrees of misgiving, amusement and familial loyalty have chosen to spend a period of time with us tonight. I do wish it did not take on the aspect of a death watch. It makes me want to move when I try to understand the meaning of that assemblage on my right. I got the first hint of this legislation on June 14 when the gentleman from Missouri alluded to intra-Democratic Party cannibalism. I have experienced perhaps a different form of that cannibalism, but I think it might afford us a chance to address ourselves to a far more serious concern.

Let me digress before I do that and make one thing clear; since the Speaker is in the Chamber tonight and can reaffirm what I have said to him privately and publicly in relation to the select committee. As you know, indirection is not one of my strong cards, and I have seen nothing in the course of this period that has altered my views toward the CIA—nor toward the need to have this country address the vital issues that are at stake here. I want to resolve any ambiguity with respect to my intention, if it is at all possible to remain on what appears to be a likely accepted fact. I think it is interesting, listening to the care with which this matter has been handled tonight, to note the lack of substance that attaches to the problems attendant to this committee's functioning.

I sat through the Rules Committee meeting of last Wednesday, where most of the members of the present select

committee showed some interest in continuing to serve. I do not think that it would be unfair to suggest, that we ever had a substantial effort to address what has been alluded to as intra-committee deviousness.

For the last month, in terms of what now, I think, has been adequately explained, it was with people, with sound, believable disinterest, and I think it is important not only to look hard, carefully, questioning at the motives attendant to the very interesting series of events which were orchestrated both within the framework of the Rules Committee membership, the Armed Services Committee, over the course of the period that is about a month old today.

But all of this, I suppose, can be better and more dispassionately addressed by the people who have the benefit of the vision attendant to a lack of direct involvement. Let me just say that the important thing, in my opinion, whether it be the point of view that I express tonight prevailing or the point of view outlined by the gentleman from Missouri prevailing, is the preservation of the capacity on the part of this Congress to recognize very clearly what the people of this country learned in the streets in the last dozen years; that there is ample reason to believe that they cannot believe their executive branch. This distrust and cynicism extends to the legislative branch, and much of what we find at the root of the inability to really deal with national issues comes about as a result of being systematically deceived by people who speak for this country.

Whether it be the episode which began to be revealed during the war, which both parties can claim equal dishonor for; whether it be the narrowing, and I think far more isolated aberration of criminality and the efforts made to contend that in the guise of national security to avoid an inquiry, what we have gone through collectively as a people is some part of our experience and in part what led to the success in establishing a select committee.

I might credit my feeling about the points of the chairman of this committee, and it is not with personal opprobrium but with an appreciation for the limits that the human condition has when it comes to engaging in inquiry. I have made those observations in order to picture the gentleman from Michigan's speech in the House on the day it was announced.

My concern really runs, Mr. Chairman, largely, and it runs in general to a willingness which has been carefully circumvented, that were to use distraction occasioned by committee division; to use distraction occasioned by the Armed Services Committee away from its solemnities on the issues to determine 9 months after the fact that something would have to be done about an inquiry of interest in Chile arising from the fact of a variety of episodes by the Ashland Oil example or McCord or Hunt or Liddy or any one of a dozen newspaper events in the course of the last few years which have all prompted this party to decide that the prevailing attitude of not know-

ing anything and being happy in that particular posture was not enough.

I think all of us share that common concern. And as I pointed out to the Committee on Rules Wednesday of last week, the interesting part of this is that it does not divide along traditional lines of the people who brought us the Pentagon Papers and the Watergate exposé and who have brought us a defense of the Glomar Explorer and covert activity. You really do not have the classic division of opinion, of philosophical divisions that exist in so many other areas. But I think underlying it all, and I find myself determined—whether it be as the member of this committee or the posture that I have been accustomed to from the beginning of my career outside of that insider status—to begin to raise the bottom question of what all of this means about ourselves as a people. I reject the observation of President Ford that "They do it, so we do," whether that is the IRS in downtown Miami, whether that is the CIA with the drug peddler in downtown Chicago, whether that is the National Security Agency reputedly tapping the telephones of anybody engaged in underground communication. I reject that as a coloration that we have the right to lay claim to when it comes to asking that world approbation be directed to us. But whether you agree or not—and it is really irrelevant—I think the important thing is to recognize where the efforts of the last half generation have led this country, whether it be cynicism and disbelief, whether it be despair, whether it be a linkage in common purpose to other global powers we had come during an earlier generation to despise. I think the important thing, and the one I find most troubling in urging that the retention of this committee in some form be made, is to make this inquiry as to what it can tell us about ourselves and to make it with the commitment and the reality we have gone through as a people and to make it, hopefully, with the appreciation there is going to be division of opinion and, above all, outside of this rather surrealistic existence that has been our legacy for the last two centuries, the rest of this country has come to think of us as a legislative branch and the executive branch which has brought us most of what we have gone through.

So that I may want to have, in some fashion, something approaching a way of dealing with a narrow, and perhaps personal, basis with some of the events that I address. But the broader issue is, and will remain: Do we have the courage to recognize what has to be done, what must be faced on something as fundamental as claims of national security which are, on their face, specious challenges, and not accept the mindless secrecy that is imposed by the Executive to cloak criminality, illegality and mischief, and to expect that, somehow or another, we can begin to address the basic purpose that we can all, I think, in good faith assume in coming here, that we are going to try to make an effort, in some fashion, to uphold the oath we take. I think that is what my narrow personal preoccupation is. I hope it is the preoccupation, for

whatever reason, that might be shared by the rest of this House.

Mr. QUILLEN. Mr. Chairman, I yield such time as he may consume to the distinguished minority leader, the gentleman from Arizona (Mr. RHODES).

(Mr. RHODES asked and was given permission to revise and extend his remarks.)

Mr. RHODES. Mr. Chairman, some few months ago there were allegations made that certain echelons of the intelligence apparatus of this country had taken actions which exceeded the mandate under which it was created. As a result, the President of the United States appointed a very distinguished Commission, headed by the Vice President of the United States, to investigate these matters. That Commission has now reported. That report is available. It has been made public.

Some time shortly after that the other body, through its Legislative Oversight Committee, began its investigation of the CIA and other intelligence-gathering apparatuses of this Government. This investigation is proceeding. I am told it is proceeding rapidly, and with great efficiency.

Mr. Chairman, the question that I would like to pose to the House now is: Just how many times do we need to investigate the CIA or the intelligence apparatus of this country?

I suggest to this House that it might be the better part of wisdom if, instead of appointing a committee now to investigate and to plow the same ground and perhaps do the same things these other committees have done, we did nothing at all. It might be well and it might be prudent for us not to do that at all. It might be a good idea for us instead to wait until the investigation of the other body has been completed and we have had a chance to analyze it; it might be well for us to analyze the Rockefeller Commission report, and we could see whether or not there are any holes in their discussions of the CIA or the intelligence apparatus in general. Then if there are, then we should immediately proceed to appoint a special committee or to adopt such other method as may be proper to determine those missing facts.

But I suggest it does the country no service, it does the House no service, and it does the intelligence-gathering apparatus no service for the CIA and the intelligence-gathering apparatus to be investigated and investigated and then investigated again. I suggest instead that it would be much better for this House of Representatives to pass on to some other subject. Heaven only knows that we have enough problems in this country we can address ourselves to without addressing ourselves to this one at this particular time.

I would be the first to say that whenever an agency of this Government, however created, actually takes an action which is contrary to or in excess of its mandate, it ought to be hauled up short and hauled up short quickly.

In fact, I intend, when the proper time comes, to vote for the amendment which

will be offered by the gentleman from Tennessee (Mr. QUILLEN) which would strike the formation of a new committee, for the reasons I have already given. If that amendment does not succeed, I shall certainly vote for the amendment to be offered by the gentleman from Illinois (Mr. ANDERSON), which I think, is an amendment we should all consider very carefully, because it does set up the means by which a joint committee of the House and the Senate can be created on a permanent basis to be a permanent oversight committee for the intelligence apparatus.

I suggest to the Members, Mr. Chairman, that it is this kind of thing we need. We do not need the retrospective glances that we have heard in the Chamber tonight. We do not need the prosecutor's frame of mind that we have heard coming from many of our Members.

Yes, if there have been crimes committed, they ought to be discovered and they should be prosecuted, there is no doubt about that. But the thing this House should be interested in is this: Where do we go from here? What happens from here on out? How do we make use of our intelligence apparatus?

I ask those questions as one who believes very strongly that we must have an intelligence apparatus. I think it is very important today in this world—and it is a very dangerous world still—where we know there are predatory nations at large, where we know that those predatory nations make a fetish out of intelligence, out of spying, if you will, and I believe that it would be absolutely suicidal for us not to do the best job we can in finding the information concerning their preparations for war, whether they be industrial or whether they be physical, or any other action which might be inimical to our best interests.

Mr. Chairman, we must do that. We would not be true to our oaths of office and we would not be true to our duty to protect the people of this country if we did not do it. I think it is very important that we do it properly and we do it correctly.

Therefore, it would be my hope that we would address ourselves to the future and to what we can do to work with the Executive in order to evolve an intelligence apparatus which is not only adequate to the needs of the country, but which is so well supervised by both the executive and the legislative branches that it would be impossible for it again, without detection, to exceed its mandate and to interfere in the lives and in the rights of the citizens of this country.

Mr. McCLODY. Mr. Chairman, will the gentleman yield?

Mr. RHODES. I yield to the gentleman from Illinois.

Mr. McCLODY. Mr. Chairman, I thank the gentleman for yielding.

I do not want to question the ability of the Church committee or of the Rockefeller Commission to provide this very constructive criticism and recommendation for the Members, but I feel very strongly that this House of Representatives, if we do not undertake the kind of investigation which is mandated by the

resolution, would be abdicating its authority, and we would be abdicating the responsibility we have.

It seems to me that there are a great many opportunities for saving money, for getting coordination, and for improving the intelligence effort which we can constructively make, but I do not believe the other commissions are attempting to do it. I hope that the House will see fit to reconstitute the committee.

Mr. Chairman, I thank the gentleman for yielding.

Mr. RHODES. Mr. Chairman, of course, I have great respect for my friend, the gentleman from Illinois (Mr. McCLODY), as is shown by the fact that he is the ranking member of the Select Committee at the present time; and if, as I suspect, it is reconstituted, he will be appointed the ranking member of the Select Committee again.

However, I must very respectfully disagree with him. I think the fact that the Rockefeller Commission has been in operation and has reported and that the Senate committee is in operation and, I assume, in good time will report, to me points to a proper course for the House of Representatives, and that is to do nothing at the present time but to keep aware of the situation. Then, if it is necessary for us to act, we should act with all vigor.

Mr. QUILLEN. Mr. Chairman, I have no further requests for time.

Mr. BOLLING. Mr. Chairman, I yield the remainder of the time on my side to myself, as I would like to close the debate.

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I will be glad to yield to the gentleman from Ohio (Mr. SEIBERLING), to whom I had made a commitment to yield previously.

Mr. SEIBERLING. Mr. Chairman, it is my present intention to support the committee's resolution.

I respect all of the members of the committee, but this issue is far too important and far too urgent to let any personality problems stand in the way of an uncompromising, searching, and unbiased investigation.

I think the comments of the gentleman from Arizona on the proposed amendment of the gentleman from Illinois indicate that that amendment would be a formula for delay, which is what the gentleman from Arizona seeks, and possibly an excuse for avoiding any decision on appointing a committee. I do not think we can afford that kind of delay.

Finally, I am willing to support the committee's proposed resolution with respect to the Select Committee because I trust the Speaker of the House and the leadership of this House to appoint a committee that is going to do a thorough and two-fisted job of uncovering any abuses, regardless of where the blame lies, and not a committee to cover this whole thing up.

Mr. BOLLING. Mr. Chairman, I thank the gentleman for his contribution. He has certainly said what I planned to say and probably will say not as well in a longer time.

The only reason that I propose this

resolution is that I think it is terribly important that the House function in its usual manner, through its committee system. I became convinced that the House was not going to be able to do so through the current Select Committee.

I doubt that very many Members are aware of the fact that the Select Committee, which I chaired in the last Congress, went into this particular problem of security and of the manner in which Members should deal with security with some care, on my motion, because the House today has rules that "don't make sense if they are honored in the breach" and "don't make sense if they are honored."

The House very badly needs some rules to guide its Members in dealing with problems of security, their access to security, their use of the information that they receive in a classified manner, and the House needs that now.

The House needs that now. It is my hope that one of the recommendations of the new select committee will speak to that just as I believe that one of the recommendations of the new select committee should speak to the question of an adequate modern official secrets act, to borrow a phrase. I further believe that the House finally should get around to doing something that I have advocated, I believe, for about 25 years: Setting up a Joint Committee on Intelligence which will carefully supervise the intelligence activities of the executive. I favored that for a very long time for two reasons: First, to prevent nonelected people from doing things that nonelected people sometimes think is wise, and that any elected official would know was wrong, and asinine as well as illegal; and, second, for the further purpose not only of giving supervision, but of providing for a respected supervisory group that no Member of the House feels is tainted by its association with a particular branch of the executive.

This resolution is here only because I as one Member, and the Committee on Rules as a group, could not figure out any other way to make it possible for the House to function through its committee system. The House of Representatives I believe to be the most important democratic representative institution in the United States, and if it cannot function then the United States cannot function. So it is a matter of the greatest urgency and of the greatest priority.

I do not intend to yield to any Member. I will finish my speech and that will be the end of that.

That is why I think that the gentleman from Ohio nailed it. It is not important who is on this committee. It is important that this committee function.

It is important that this committee do honor to the country and to the House of Representatives. That is all that is important.

The Speaker, the majority leader, the chairman of the caucus, the members of the committee, and the select committee, have spent hours upon hours seeking a way to make the current committee work. No way was found. The only way in which that committee can function is with a new committee with perhaps some

changes in its personnel. It will then have a short period of time to prove to the House and the country that it deserves an extension of its time to investigate and to recommend. It will need additional time because 4 months or 5 months is not enough. But we must have a committee that works, and we have had a committee that, for whatever reasons, did not work.

The country is a good deal more important than anything else. The Congress is a good deal more important than any of its Members. The only solution that we could find was that there be a new start, and if there is a new start I hope there will be a complete investigation and a set of recommendations which for the first time in its history will put this country, its Government, in a sound position vis-a-vis intelligence, critical, but terribly dangerous. I honor every member of that committee, the existing committee, for their efforts. I do not agree with all of them, but they are honorable men. That is not the point.

The point is that the House must be able to function. I am going to resist all of the amendments that I know of when we come back to this matter on Wednesday. I hope that a majority will resist all of the amendments, and I hope we will pass this resolution and proceed to the process that should have been an effective investigation with the appropriate recommendations which will heal a gaping wound, in my judgment, in the country's legislative institutions and its executive institutions.

Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. EVANS of Colorado, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the resolution (H. Res. 591) establishing a Select Committee on Intelligence, had come to no resolution thereon.

#### JOB QUOTAS ON POLICE FORCE

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, the Justice Department has recently proposed the institution of a quota system for the hiring and promotional policies of the Chicago police department. I hope that Judge Prentice Marshall, who presided over the recent trial of alleged discriminatory practices of the Chicago police, will see fit not to include these proposals when he presents his findings in September.

The enactment of these Justice Department proposals would have a deleterious effect on the quality of law enforcement in Chicago by substituting arbitrary ethnic formulas for ability and hard work. The way to eliminate discrimination is to make all job opportunities open to everyone on the basis of talent. Anything less than open competition based on ability is an affront to the dignity of the police officers involved and

less than what the people of Chicago deserve.

Bob Weidrich, the highly regarded writer of the Chicago Tribune, has written an interesting column on this question in the July 14 edition of the Chicago Tribune. I would like to share Mr. Weidrich's story with my colleagues. I also would like to bring to the attention of my colleagues an editorial dealing with the same subject which appeared in the Chicago Tribune on July 12.

#### COP QUALITY LOST IN QUOTA PLAN

(By Bob Weidrich)

Justice Department proposals for a quota system in Chicago police hiring and promotional practices are an insult to minorities and a sure-fire formula for mediocrity.

"It is a slap in our faces," declared an outraged black police officer who calls this office with some regularity.

"It is a declaration that we can't make it on our own, that we are dummies."

As in the past, the officer was on patrol with his partner and had pulled up to an outdoor phone booth to voice his dismay at published reports of a proposed Justice Department order submitted before Federal Judge Prentice Marshall in the city's lengthy police bias trial.

"A quota system would be unjust to both black and white police officers," the policeman asserted. "I don't want to get promoted under such circumstances. No matter how well I know my job, it would have a dirty taste about it. I wouldn't feel I had made it on my own."

Like many of the minority police officers who have written or called us, all this officer asks for is a square shake in Chicago police hiring and promotional examinations. He asks nothing more.

"Just let the exams be on the square for everyone and knock out the subjective judgments by the bosses in evaluating performance," he pleaded. "Give us a chance to show our stuff on an equal basis. That's all any of us ask."

There was a strong ring of professional pride in the officer's voice and an equally strong dislike of quota systems for his race or any other.

He proposed that instead of Judge Marshall invoking the guidelines suggested by Washington for the hiring and promotion of blacks, Latinos, and women, that Chicago adopt the system in use in New York City and Detroit where candidates can challenge the fairness of examinations soon after they are given.

Detroit has had such a system for 10 years; New York for about five years.

And it permits those taking the exams to question the ambiguity of some multiple-choice questions as well as the correctness of some answers. In a recent New York examination for sergeants, 14 of 100 multiple-choice questions were scratched or re-scored as a result of being challenged.

The same holds true in Detroit, where 15 questions were successfully contested in a promotional exam.

The system permits candidates for promotion, for example, to challenge answers that are obviously wrong when compared to the street experience of policemen. This tends to eliminate questions and answers framed by theoreticians who have never faced the realities of police work.

"That's what we need, far more than quotas that will bring onto this job people that have neither the ability nor potential competence for what I consider to be a highly professional position," another black officer told us.

Granted, these statements may not reflect the view of each of the minority police officers now serving the Chicago Police Depart-

ment. But they do indicate a strong sentiment by some to demand the right to prove themselves as policemen rather than get a free ride to promotion on a basis of sex or color.

To us, the government suggestions contain no element for assuring quality, ability, or an upgrading of police talent. Rather, they appear to be strictly a mathematical formula for picking bodies of a particular color or contour.

That may be fine, as the Justice Department declares, to overcome the racial and sexual injustices of the past. But it does not guarantee that Chicago will have the best possible police service in an era of rising crime.

To the contrary, playing a numbers game with police personnel procedures can only lead to demoralization in the ranks and a deterioration in the quality of leadership and policing.

Just as ludicrous, in our judgment, is the Justice Department proposal that minorities and women be given priority on so called choice duty assignments such as those at O'Hare International Airport, or as an investigator or crime laboratory technician.

Again, that can only insure that Police Supt. James Rochford will no longer have a voice in judging the fitness of individual police officers to fulfill such tasks. Instead of de facto discrimination, Chicago would have a de facto police chief—the Justice Department, but with none of the crucial responsibilities of the job.

To our way of thinking, there is only one way to make minority members both proud and professional—a square deal and an equal chance to achieve success on their own. Anything less is a ripoff of human dignity.

#### WASHINGTON'S ETHNIC ALGEBRA

To judge from the list of reforms that the Justice Department has proposed for Chicago's police force, federal authorities have worked out a new set of priorities in law enforcement. They seem to think the most important job a police department has is to reflect exactly the ethnic makeup of its community, and that other obligations—such as protecting citizens and arresting criminals—take second place to this one.

We do not share this view and hope that federal District Judge Prentice Marshall doesn't either. The judge, who presided over the 82-day trial on charges of discriminatory practices by the Chicago police, is to issue his findings in September. If he makes these proposals part of his final order, our police administration may not have much time left for matters like law enforcement; it will be too busy making slide-rule equations between the sexes and different ethnic groups.

The Justice Department proposals, submitted by attorneys Ilana Rovner and Donald Fallen, call on the judge to order these procedures:

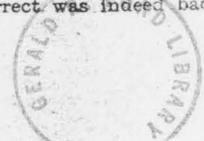
Two of every three persons hired as police officers must be blacks, Latinos, or women, and 50 per cent must be blacks or Latinos.

Half of all police officers promoted to sergeant must be black, Latino, or female, until the percentage of black, Latino, and female sergeants reflects their representation on the police force as a whole.

One-third of all those promoted to lieutenant must be black, Latino, or female, with the same requirement.

Blacks and women must be given priority on assignments to choice duty positions—again, until they are represented in these positions proportionately to the whole police force.

These recommendations, in our view, are a classic case of overreaction—trying to remedy one injustice by insisting on an equal and opposite injustice. The situation they are meant to correct was indeed bad. The



# House of Representatives

WEDNESDAY, JULY 16, 1975

The House met at 10:15 o'clock a.m. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*Behold, I stand at the door and knock; if anyone hears My voice and opens the door, I will come in to him.—Revelations 3:20.*

O God, who art ever knocking at the door of our hearts seeking entrance to our inmost being, we pause in Thy presence opening our lives unto Thee.

We thank Thee for the gift of prayer and for this opportunity of turning to Thee to receive strength for the day, wisdom for sound decisions, understanding when differences develop, and good will amid the difficulties we face.

Bless Thou our Nation that out of the depths of these disturbing days may come a new life for our people. Help us to help one another, teach us to trust one another, and grant us grace to live generously for the greater good of all. Abide with us, Lord, for in Thee do we put our trust. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1260. An act to authorize the Administrator of General Services to enter into multiyear leases through use of the automatic data processing fund without obligating the total anticipated payments to be made under such leases;

S. 1849. An act to extend the Emergency Petroleum Allocation Act; and

S. 1883. An act to conserve gasoline by directing the Secretary of Transportation to establish and enforce mandatory fuel economy performance standards for new automobiles and light duty trucks, to establish a research and development program leading to advanced automobile prototypes, and for other purposes.

## CALL OF THE HOUSE

Mr. BAUMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 389]

Adams	Fuqua	O'Hara
Andrews, N.C.	Hanley	Rangel
Archer	Harsha	Riegle
Bell	Hébert	Risenhoover
Blaggi	Hefner	Rosenthal
Burton, Phillip	Holland	St Germain
Butler	Jarman	Satterfield
Conlan	Karth	Scheuer
Conyers	Lent	Steiger, Wis.
Danielson	McHugh	Symms
Downey	Matsunaga	Teague
Drinan	Meeds	Udall
Esch	Mills	Ullman
Eshleman	Mollohan	Wilson, C. H.
Fulton	Mosher	Zablocki

The SPEAKER. On this rollcall 389 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

## PERMISSION FOR COMMITTEE ON INTERNATIONAL RELATIONS TO FILE REPORT ON S. 846, AS AMENDED, TO AUTHORIZE FURTHER THE SUSPENSION OF MILITARY AID TO TURKEY

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations have until midnight tonight to file a report on S. 846, as amended, to authorize further the suspension of military aid to Turkey.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

## ESTABLISHING A SELECT COMMITTEE ON INTELLIGENCE

Mr. BOLLING. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the resolution (H. Res. 591) establishing a Select Committee on Intelligence.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri (Mr. BOLLING).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the resolution, House Resolution 591, with Mr. EVANS of Colorado in the chair.

The Clerk read the title of the resolution.

The CHAIRMAN. When the Committee rose on Monday, July 14, 1975, all

time for general debate on the resolution had expired.

The Clerk will read.

The Clerk read as follows:

*Resolved*, That (a) there is hereby established in the House of Representatives a Select Committee on Intelligence to conduct an inquiry into the organization, operations, and oversight of the intelligence community of the United States Government.

(b) The select committee shall be composed of thirteen Members of the House of Representatives to be appointed by the Speaker. The Speaker shall designate one of the members as chairman.

(c) For the purposes of this resolution the select committee is authorized to sit during sessions of the House and during the present Congress whether or not the House has recessed or adjourned. A majority of the members of the select committee shall constitute a quorum for the transaction of business except that the select committee may designate a lesser number as a quorum for the purpose of taking testimony.

Mr. QUILLEN (during the reading). Mr. Chairman, I ask unanimous consent that section 1 of the resolution be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. QUILLEN

Mr. QUILLEN. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. QUILLEN: Strike all after the resolving clause and insert in lieu thereof the following:

*Resolved*, That the select committee established by H. Res. 138 is abolished immediately upon the adoption of this resolution; and be it further

*Resolved*, That immediately upon the adoption of this resolution, the Clerk shall obtain all papers, documents, testimony, and other materials generated by the select committee and transfer them to the General Services Administration for preservation subject to the order of the House.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks.)

Mr. QUILLEN. Mr. Chairman, this is a very simple amendment. What it does is exactly what it says it does: It abolishes the Select Committee on Intelligence—period. But it does not entirely close the door for future action by the House.

This is a very important amendment. It is offered as an amendment in the nature of a substitute. If enacted, it will abolish the Select Committee on Intelligence, but, as I said, it does not completely close the door for the future.

Mr. Chairman, let me read the headline in this morning's Washington Post: "CIA Debate Seen Dead in Senate."

The article states:

Senator Frank Church said yesterday that plans for a closed-door Senate debate on the Central Intelligence Agency's involvement in assassination plots may be abandoned because of the August recess.

It goes on to say that this report, if completed, will be made public while the Congress is in recess, but first of all the report on alleged assassinations will be given to the White House.

I think it is not logical for this House of Representatives to go forward with a Select Committee on Intelligence after the Rockefeller Commission made a thorough investigation of the CIA and has already made its report, after the Church committee in the Senate has gone 4 months in the investigation of the CIA of alleged assassination plots, and the committee is going to make its report on these plots even while we are in recess in August.

Mr. Chairman, I think it is important that this committee and that this House of Representatives look at the overall picture. What will be accomplished if we go into the investigation not only of the CIA but of 11 other agencies with less than 6 months remaining of this year and of this session of the Congress?

The committee, as proposed by the gentleman from Missouri, would expire on January 31. Investigation of the CIA and investigation of 11 other agencies would include the National Security Council, the U.S. Intelligence Board, the President's Foreign Intelligence Advisory Board, the Central Intelligence Agency, the Defense Intelligence Agency, the Army, Navy, and Air Force intelligence components, the Intelligence Research Bureau of the Department of State, the Federal Bureau of Investigation, the Department of the Treasury, the Energy Research and Development Administration, and any other instrumentality of the Government that this select committee decides to go into.

Mr. Chairman, I say to the Members that this select committee was created in February of this year. Because of internal problems and the constitution of the committee itself, no action has been taken. No meetings have been held in any meaningful way. The committee has not organized.

Mr. Chairman, I think it is important that this committee be abolished because the American people have lost confidence in that particular committee's going forward with any meaningful investigation. There have been leaks from other committees in past sessions of the Congress of classified and secret material, and the American people feel that in any investigation started by this select committee, there is a great possibility of future leaks. I think this country is so important, the future of this country as a democratic system is so important that we must take a break, so to speak, abolish the committee, and then after the Senate has made a full report, after the Church committee has made a full report, review the situation and see then if we need a committee to plow new ground. Certainly

we do not need a committee to go over the same testimony previously given by Mr. Colby and the others.

The CHAIRMAN. The time of the gentleman from Tennessee (Mr. QUILLEN) has expired.

(By unanimous consent, Mr. QUILLEN was allowed to proceed for 2 additional minutes.)

Mr. QUILLEN. Mr. Chairman, certainly this House of Representatives does not need to go over the ground covered by the Rockefeller Commission and the ground covered by the Church committee in the Senate. If there is new ground to be plowed after the Church committee has made its report, then let us consider whether or not we need a permanent Committee on Intelligence.

After this measure was debated on the floor of the House on Monday, the American people had uppermost in their minds not what this committee will uncover, but what the prices of groceries are on the grocer's shelves, and what the price of gasoline is going to rise to, and what taxes are going to be levied upon them. They are concerned with the domestic problems of our country. I think this Congress is leaving the wrong impression when our focus is on something that really is not as important as the domestic problems facing us today.

I think Mr. Colby has been before several committees and has presented all the documents necessary to conclude this consideration.

Mr. Chairman, I shall insist on a recorded vote on my amendment, and I would urge the Members of this body to support this amendment in good conscience. After all, the House of Representatives, later on, can reconstitute a new committee if necessary. But today let us abolish this committee, and get down to the business of lowering grocery prices, lowering gasoline prices, and doing the things that are necessary for the people of this country.

Mr. BOLLING. Mr. Chairman, I rise in opposition to the amendment in the nature of a substitute offered by the gentleman from Tennessee (Mr. QUILLEN).

Mr. Chairman, first of all I would like to deal briefly with a couple of procedural problems. There is a mistake in the resolution which is before us that was pointed out by the gentleman from Illinois (Mr. McCLORY) that, by a printer's error, January 3 appears on page 6 as the final date, and it should be January 31. When we get to that section I am going to offer a technical amendment which will bring this into conformity with the intent of everybody involved so that the final date of the committee, when it is reconstituted, will be the 31st of January.

Secondly, as we proceed with the debate I am not going in any way to try to prevent Members from having an opportunity to talk on particular amendments, but I am going to try to proceed in an orderly fashion and, with the cooperation of the committee, I hope we will be able to set time on each amendment, at a reasonable time, soon after we see how the debate is beginning to develop, and so that we will not just go

on and on and on, talking about everything on one amendment when there are other amendments coming.

I am going to seek to achieve some kind of an orderly discussion, amendment by amendment and, of course, that would also take into account the possibility of amendments being offered to amendments.

Now, Mr. Chairman, I would like to express my opposition to the amendment.

The argument that the gentleman from Tennessee makes might be a more forceful argument if the committee were just going to investigate, but the committee is going to make recommendations, I hope, and the recommendations are terribly important. The House not only needs to have an investigation, but it needs to have recommendations made on a variety of complex matters. The committee can recommend, and they may not be legislative recommendations. The committee, I think, should recommend in three areas. One, if anything needs to be done about the rules of the House; two, if anything should be done about the laws governing security matters of the United States and its agencies, and among its citizens; and three, what kind of oversight should be established for the future.

I think an expert committee that has done some studying of the problems of intelligence and really truly understands them should do that kind of work, should do the groundwork that will lead to an effective set of recommendations which the House will have an opportunity to consider. Therefore, I think it is a good idea to roundly defeat the proposal of the gentleman from Tennessee, no matter how well-intentioned it is.

Mr. Chairman, I yield back the remainder of my time.

Mr. BAUMAN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, earlier this year the House was confronted with the question of whether or not it would abolish the House Committee on Internal Security. At that time the argument was advanced by the proponents that this particular committee was not needed, that it was superfluous, that it was expensive, that its jurisdiction was shared by other committees in the House, and that the Committee on the Judiciary could just as well handle these matters. If those arguments for abolition were applicable then, they certainly apply now to the pending resolution.

I want to remind the Members that the Internal Security Committee this House abolished was charged many years ago by the House of Representatives with investigating Communist subversion and subversion by other groups, anti-American and un-American groups. Last January the judgment was made by the majority party in this House that that committee should be abolished, that subversion was no longer a threat. Now we are being asked to create another committee to investigate executive agencies whose role also has been to control subversion.

The gentleman from Missouri says that the amendment of the gentleman from Tennessee is unnecessary and is out of place because the new committee proposed by this resolution will have a very important role, first of all, to recommend amendments to the Rules of the House dealing with national security and how it should be handled, rules dealing with a Member's right to information and how each of us should handle secret and confidential matters that come within our purview. I submit that the able gentleman from Missouri headed a select committee which had a great deal of time to devote itself to this and other matters regarding changes in the Rules of the House. There were substitutes, amendments, all sorts of changes made to the Rules of the House. Certainly the Committee on Rules, or any select group of that particular committee, could handle that question without any problem, based upon their expertise and ability, in a matter of weeks or months at the most, I am quite sure.

I doubt that the composition of the committee we propose to create here today would be such that it would be so finely tuned either temperamentally or intellectually that it is going to come out with any delicate rules to handle the conduct of Members of the House in matters of secrecy. No, I think the new committee's bag, as they say in the vernacular, is going to be investigation; and investigation on a grand scale molded along the lines of the prejudices of the individual Members who serve on this committee. We have already had a taste of what is to come by the remarks heard on this floor today.

I will say to the House I might be less willing to support the pending amendment if the Speaker of the House would announce to us now during this debate who will be chairman of this new group and what the composition of the membership will be. Last February I voted against the creation of the present committee that will be abolished as part of this resolution, because I did not think it would do the job. I had heard the names of some of the Members who had been proposed to serve on it, and I had misgivings. I must say my misgivings have been borne out to a fine fare—the well based on the conduct of this committee so far.

Second, do we need investigations of our security agencies by this proposed committee? I may not always agree with the gentlewoman from New York (Ms. ABZUG) but she has exercised the jurisdiction of her Subcommittee on Government Operations in exploring fully—and will continue, I am sure, knowing her predilections—the CIA and its activities. We may not agree with the way that she does it in all respects, but it is within the jurisdiction of her committee. Other committees of the House already have jurisdiction over various security agencies as well, including the Committee on Armed Services and the Committee on Appropriations. Why must we have still another group?

As far as future oversight is concerned, the Committee on Government Operations has this within its jurisdiction. There is no need for this House to create

a new committee, but there is a great need to abolish the one we have.

I submit to the Members that the contents of this resolution constitute a political solution to the internal problems of the majority party in this House. This is unfortunate because I think that there has been raised valid questions regarding the civil liberties of individual citizens of the United States and whether governmental agencies are overstepping their bounds. It is unfortunate that we are asked in this particular instance to solve a political problem with a twofold resolution abolishing a useless committee that, indeed, should be abolished, and then creating another committee that probably will have to be abolished when it follows down the same road. But perhaps this unusual procedure will ease the internal problems of the Democratic caucus.

I think the solution offered by the gentleman from Tennessee is amply fair and correct. The Rockefeller Commission has acted. The Church committee in the other body is acting. Congress has gone over this ground before, as the gentleman from Arizona, the minority leader said yesterday. There is a limit to what we can do. The House is 6 months late and \$750,000 short. The House will never catch up to the other investigations, nor should we try. Abolish this committee and let the appropriate committees of the House to do their job.

The proper manner in which to deal with this I think is to support the Quillen amendment.

(Mr. BAUMAN asked and was given permission to revise and extend his remarks.)

Mr. McCLODY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as the ranking minority member on the select committee that was appointed in February I want at least to advert to the responsible manner in which I feel the Members on our side have proceeded and have undertaken to perform their jobs with vigor and with determination in an effort to fulfill the mandate of this House of Representatives.

I think it is extremely important that we do not have out activities frustrated by the difficulties that have arisen on the other side of the aisle. Our frustrations would be complete if this amendment were to be adopted.

There is an important and legitimate role for us to perform. We recognized that when we established this select committee. In the effort being made now by the gentleman from Missouri (Mr. BOLING) he is trying to overcome the frustrations that have arisen because of disagreements on the other side of the aisle in order that this House of Representatives might legitimately carry out one of its important functions, that of oversight.

We are not concerned here simply with the CIA. The CIA, as a matter of fact is a small part of the overall intelligence community, but the complex intelligence community does deserve some oversight. There is tremendous confusion and overlapping and duplication. If the gentleman from Tennessee is interested in saving the money of the taxpayers he ought

to be interested in having the activities of the select committee carried on because the opportunities for savings are tremendous.

Nobody knows how much the overall intelligence operations cost. We should find out and determine that and make the entire intelligence community an efficient operation, and not just allow it to be one that goes on with various autonomous and independent operations without control and without coordination.

It seems to me to be extremely important, even though we move toward establishment of a joint committee, which I would support, even if we support a joint committee as an ultimate goal or objective of our committee, we should first of all study the framework and background of this entire activity so that we can move into that kind of oversight operation intelligently.

Mr. QUILLEN. Mr. Chairman, will the gentleman yield?

Mr. McCLODY. I yield to the gentleman from Tennessee.

Mr. QUILLEN. I thank the gentleman for yielding.

The gentleman says the committee ought to do certain things. Why has it not? Up to now the members have not.

Mr. McCLODY. I do not want to say that our efforts have not been frustrated. They have been, but I am confident that the Speaker is going to name a chairman of the committee who is going to demonstrate leadership and control of our committee. I am sure we are going to find the chairman, whoever it happens to be, will have the support of the Members on our side and we are going to move forward with our legitimate responsibilities and do the kind of job we are charged with doing, which includes the oversight of all the intelligence community.

Now, if the gentleman would get a background paper from the Legislative Reference Service of the Library of Congress, he would see how complex an operation this is. Our intelligence agencies enter into all kinds of subjects, not only do they invade the private rights of American citizens and not only is there confusion which results from the CIA and FBI not knowing where their lines of demarcation lie, but let me suggest another area requiring our close attention, that of drug enforcement. This is an area where we note a terrible increase in the drug traffic, because in my opinion we do not have the coordinated kind of communication between our various agencies with each other which they should have if we are to stamp out the drug traffic.

They need help to stamp out the traffic in drugs. This is one area, it seems to me that deserves a thorough investigation and it can only be done if the committee is active and empowered to carry on its job.

Mr. QUILLEN. Mr. Chairman, will the gentleman yield?

Mr. McCLODY. I yield to the gentleman from Tennessee.

Mr. QUILLEN. That was my impression and opinion and consideration in February of this year when this committee was formed by this House. I mean, the dreams and aspirations and ideas do not formulate unless action is taken.

The committee has not taken any action. Therefore, it should be abolished.

Mr. McCLODY. I do not think the gentleman should blame the committee or any of the Members on his side of the aisle, because we have been ready and able to go forward and we have gone forward to the extent we have been capable of going forward, but we have been frustrated, I recognize that. The purpose of the resolution of the gentleman from Missouri is to reactivate and restructure this committee so that we can fulfill the mandate that has been given to the House and that we should fulfill.

Mr. DELLUMS. Mr. Chairman, I move to strike the requisite number of words. (Mr. DELLUMS asked and was given permission to revise and extend his remarks.)

Mr. DELLUMS. Mr. Chairman, as one of the present members of the committee, I rise in strong opposition to the amendment offered by the gentleman from Tennessee.

I would first point out that the House of Representatives and the Senate are equal in their constitutional responsibilities. The Constitution, in part, says that we not only shall make laws, but we are charged with the responsibility of overseeing the enactment of those laws. That means that we have a responsibility. We have a responsibility specifically in this issue, because there are many questions that have not been answered by the Rockefeller commission and there are many questions that may not be answered by the Senate committee.

First of all, with respect to the CIA—yes, we must explore with diligence and depth the question of the allegation of assassination as an instrument of foreign policy. We must go further in determining the degree to which people's rights have been abused domestically in this country. That is our responsibility. That is our charge.

We must know, for example, why is it that there are 200,000 American citizens who have a CIA file. Why is it that a few short weeks ago the Director of the CIA said 5, 6, maybe 7 Members of Congress had a CIA file; 3 weeks later he said 15 people. Now the record shows there are at least 75 Members of Congress who have a record and perhaps as time goes on there may be 435 people that have a record.

We need to know. That is our responsibility. That is our constitutional charge. We need to know, for example, why are there allegations that some former members of the intelligence community have gone into the civilian community in America, set up detective agencies or patrol agencies or what have you, that are still in some kind of network that would allow this group, although not officially on the payroll of the intelligence community, who could act as a network trained and capable to involve themselves in the violation of constitutional rights, the continued abuse of American citizens in this country.

We need to know what is the "green-light group" and what is their function and what are the ramifications of that group to our national security.

We need to know, for example, why a young person employed by the CIA could be arrested in possession of 100 pounds of heroin. That translates into \$3.5 million worth of death and destruction in the arms of many of our young men and women throughout this country. The CIA can then go to the Justice Department and say, "Do not prosecute this person."

I any person in this Chamber were in possession of 100 pounds of heroin, we would not see the light of day.

The question is, is this a quid pro quo or is this just one further abuse of employment in the CIA?

We need to know, for example how many wholly owned CIA proprietorships there are on the stockmarkets of America.

We need to know who are the directors of these various corporations. We need to know the nature of their political and economic influence in the committee. Have they ever contributed to political campaigns? If so, what are the ramifications? What happens to the profits of these wholly-owned CIA proprietary corporations when the law, the Constitution, says that the Congress shall authorize and appropriate funds? Did these funds go to finance such things as secret wars in Laos and Cambodia, to violate the rights of human beings in this country? We need to know; that is our responsibility.

With regard to the FBI, what about the counter-intelligence program with eight different projects. Many of us in this room do not know the function of one of those projects. We need to know all eight. We need to understand the ramifications so that we can take appropriate corrective action.

It has been alleged that every single telephone, telegram, Telex communication between this country and foreign countries is monitored by some intelligence agency. The enormous ramifications of that statement are shocking to me. We need to understand that. We need to know whether this is true. We need to be able to take corrective action. We now know that the IRS paid people to peep through keyholes of American citizens to determine their sexual activity. How many of us in this House would like to have their keyholes peeped?

Mr. Chairman, I interject a slight bit of humor into this debate which, probably through the next few hours, would not be very humorous, but not because the issue is frivolous. The issue is important and critical. We have a constitutional responsibility. I would recommend that we strike down this amendment. It would seem to me that if the House of Representatives passed an amendment to abolish the investigation, the American people would have the right to call for our impeachment.

Mr. Chairman, I urge that we strike down this resolution.

Mr. ASHBROOK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I merely wanted to ask the previous speaker, if he would stay near a microphone, what is it his com-

mittee has done in the last 5 months on these vital questions that he raises?

Mr. DELLUMS. Mr. Chairman, I can say to the gentleman that the overwhelming majority of the members of the committee have been diligent in their efforts to try to resolve these various questions. As the gentleman is aware, a so-called impasse has been reached on this committee. My interpretation of that impasse is not that the members of the committee, nine of us, are not willing to go into this matter on today, tomorrow or yesterday.

But, what we are confronted with is a chairperson who decided for various and sundry reasons that he could not chair. He offered his resignation on the floor of the House. The House worked its will. I voted to receive the gentleman's resignation. The majority of the members voted not to do so. So, we have a chairperson who wanted to resign. The House did not allow that.

He is not chairing the meetings because he does not want to be the chairman, and I respect the gentleman's right to make that decision. We now are confronted with a committee that cannot function. That is no reflection on the nine members of the committee. We want very desperately to engage in the pursuit of these questions and to make a report and submit recommendations by January.

Mr. ASHBROOK. Would it be fair to say to the gentleman from California that he took a long way of saying "No" in answer to my question? Nothing has been done?

Mr. DELLUMS. That is not true.

Mr. ASHBROOK. The total output of the committee, the total result of the committee, the total hearings of the committee, the total recommendations of the committee add up to zero. Is that not correct?

Mr. DELLUMS. The day the committee called Mr. Colby, our first witness, before the committee, I would suggest to the gentleman that the persons on the other side of the aisle did not come to the meeting. The majority of the Democrats were there, prepared to go forward in the pursuit of the investigation of the Intelligence Committee. The three members of the gentleman's party did not come. He has to answer that question of why that action.

Mr. ASHBROOK. It still adds up to the fact that as far as the total action of the committee in response to the mandate of the House earlier this year, the answer is nothing, zero, absolutely nothing. Is that not correct?

Mr. DELLUMS. If the gentleman wants to ask a question and answer it for himself, then he can go forward and do it. I have tried to answer the gentleman's question to the best of my ability.

Mr. ASHBROOK. What I sought to get from the gentleman from California was that although he raised many serious questions—many of which I think ought to be answered also—my question was: How many of these questions have been answered? or even studied? What has been the total sum output of that

committee in the preceding 5 months? I think the answer is zero.

Mr. DELLUMS. The committee has not functioned, and that is a reflection on the issue I have already laid out. We have a committee which will not function. If the meetings would have been called, we would have been far down the road, and we would not be on the floor of the House debating this question today.

Mr. ASHBROOK. There is one principle that I have learned as one who has been around the House for a number of years and, having been a minority Member during that time, I understand it. My learned friend, the gentleman from Missouri (Mr. BOLLING), said on a number of occasions, which is absolutely correct, that there is no possible way in this body the will of the majority can be thwarted. So if there is a majority on that committee, it could not be thwarted. That is one thing I understand. If a majority of this House and if a majority of this committee ever really wants something, it can be accomplished. So I guess the answer to the question I put to the gentleman from California is that the majority evidently did not want anything because they did not accomplish anything in these preceding 5 months.

Mr. BAUMAN. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman.

Mr. BAUMAN. I thank the gentleman for yielding.

Mr. Chairman, I would like to ask the gentleman from California (Mr. DELLUMS) a question, if he is still with us, and I see he is.

Quite obviously, I will say to the gentleman from California, the chairman of the existing committee to investigate these matters, the gentleman from Michigan (Mr. NEDZI), acted in a manner that displeased a number of the members of the gentleman's committee. If the gentleman from New York (Mr. PIKE) is, as rumored, named by the Speaker as the chairman of this committee and he too acts in a manner that the gentleman from California finds disagreeable, will the gentleman's personal attitude be the same? Will the gentleman's conduct be the same as it was toward the gentleman from Michigan (Mr. NEDZI), regardless of the impact it has on the committee's activities?

Mr. DELLUMS. Yes.

Mr. BAUMAN. The answer is "Yes"?

Mr. DELLUMS. I think that is an absurd question. Someone said, "Do not dignify the question with an answer," but I will answer it.

Mr. BAUMAN. I would be pleased if the gentleman will dignify the question with an answer because the gentleman is always dignified.

Mr. DELLUMS. I thank the gentleman. I would say to my colleague that I try to operate within the framework of this House with integrity. If the chairperson, whoever that person is, operates in such a manner that my judgment allows me to believe that that deed or action or inaction violates the confidence of the committee or violates the

confidence of the House, yes, I would act in the same manner. I would not prejudge the gentleman. The gentleman who may very well be the chairman of the committee is a friend of mine. We do not always agree. There will be times when he and I will fight, but as long as that fight is open and honest, as long as it is not a question of credibility, as long as it is not a question of integrity, I will defend the gentleman.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

Mr. Chairman, in listening very closely to the debate of the gentleman from California (Mr. DELLUMS), several thoughts come to my mind, most of which I intend to keep to myself at least for the present, but one very important thought I should speak out on is this: I do not think that the American people believe a person should be immune from prosecution or surveillance if that person is a threat to the security of this Nation or that a person who is a threat to the security of this Nation should be immune from prosecution and surveillance just because he might be a Member of the U.S. Congress.

Mr. ASHBROOK. I would say that is correct. I think there is a fiction developing today that the will of the majority has been thwarted. One thing I have learned in this House, whether I agree with it or not, is that when the majority wants something, they can get it. The majority wanted to abolish the Internal Security Committee and it did. The majority on the CIA oversight committee could not possibly have been thwarted had they expressed a will, and I think this fiction should be answered at this point.

Mr. STRATTON. Mr. Chairman, I move to strike the requisite number of words.

(Mr. STRATTON asked and was given permission to revise and extend his remarks.)

Mr. STRATTON. Mr. Chairman, I rise somewhat reluctantly to support the amendment of the gentleman from Tennessee (Mr. QUILLEN). This is a difficult decision to make. The theoretical and philosophical reasons in support of this resolution were eloquently outlined by the gentleman from Missouri (Mr. BOLLING) the other evening, and there is a great deal of merit to them.

But unfortunately what we are confronted with here is a condition and not a theory. It is not a question of the theory of the House or the theory of our committees; it is a question of the particular committee that we are confronted with and the particular intelligence situation that we confront.

I believe the best solution is to abolish the committee. I say this not because I do not believe the House has a responsibility here. Certainly the House has a responsibility, just as the Senate has a responsibility. But I think the main responsibility today is not to plow over the old investigative ground that has already been plowed by the Rockefeller commis-

sion and the Church committee, and in a rather responsible way too, I might say.

There is a more important responsibility, and that is to try to set up some of the rules for future oversight procedures of intelligence organizations in this country by the Congress so they can be effective and yet at the same time not destroy our operating intelligence organizations.

But is that really going to happen from this new committee? I think it is quite clear that it is not going to happen. Investigations have a great appeal, and I dare say that once this committee gets reconstituted, the temptations to look into all the aspects the gentleman from California (Mr. DELLUMS) has just outlined, with what he calls some humor, I think, are going to be irresistible.

Mr. Chairman, let us recognize that we simply cannot keep the intelligence organizations of the country on the front page and detail one exploit after another without doing severe damage to the effectiveness of those intelligence organizations.

We have already reached the absurd when the allegation is made that the CIA in the Nixon administration infiltrated the White House, although at the very same time we have been making the allegation that President Nixon was running the CIA for his own purposes. No, the important thing today is to get on with what are really the serious and responsible jobs that have to be done to determine whether a democracy can indeed operate an effective and alert intelligence operation.

I have very great confidence in the gentleman from New York (Mr. PIKE), who is rumored to become the chairman of this new committee, but I think the gentleman from Maryland (Mr. BAUMAN) has put his finger on the real problem. As outstanding as the gentleman from New York (Mr. PIKE) is, can he really do a better job than the gentleman from Michigan (Mr. NEDZI) did if he is going to be faced with members of the committee who continue to believe they have a higher right than the resolutions, the rules of the House, and the requirements of classification, so that they may, therefore, put anything they want to in the newspapers? Of course, we cannot run a responsible intelligence investigation with that kind of thinking.

The gentleman from Missouri (Mr. BOLLING) mentioned this problem the other night when he said that he believed we need an Official Secrets Act. Of course we do. But the gentleman, I think, well knew—and perhaps that was the reason he declined to yield to me at the time—that we are not going to get any Official Secrets Act recommended by this committee or probably even by this Congress.

So I am afraid that what is going to happen is that this committee, if it is reconstituted by the resolution before us, and if it gets into all the matters the gentleman from California (Mr. DELLUMS) referred to a moment ago, will be in operation down to December 31, 1976, and still without any positive recommendations.

What we need most are recommendations as to how we can have responsible control over intelligence in a free, demo-

cratic society; how we can maintain the basic secrecy that is essential; how we can find out what the potential enemy is up to with a minimum interference with individual rights. Let us not just continue to hash over the lurid past.

So I believe we ought to abolish this committee, and we ought seriously to consider the recommendation of the gentleman from Illinois (Mr. ANDERSON) that instead we set up some kind of new organization to concentrate on these important issues of the future.

After all, if we really believe in détente, if we really believe in peace, then it is imperative that we keep an effective intelligence organization. That is the early warning system of our country.

And how else can we enforce the SALT and other agreements we seek to enter into in the name of peace if we do not know with accuracy what the other side is doing?

Mr. YOUNG of Georgia. Mr. Chairman, I move to strike the requisite number of words.

(Mr. YOUNG of Georgia asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Georgia. Mr. Chairman, I think that we have to vote this amendment down and get on with the investigation of our intelligence-gathering apparatus in this Nation.

We are getting a strange mixture of truth and fiction, and I would just like to take a minute to try to set the record straight. The important leaks that anybody has read in the papers have come from members of this committee.

The allegations against one of the members of this committee did not occur in the context of this committee at all. Nor did they occur in this Congress. The reported leaking of information to the press on the CIA's involvement in Chile occurred in the last Congress, almost a year ago. We had heard nothing about it in that Congress. There was no attempt on the part of the Committee on Ethics in the past Congress to do anything about it. Now, at this time, we find a merging of incidents which have occurred over a year in an attempt to malign the intentions and credibility of a committee that I think was attempting to do a job that is very much needed.

One other thing, if we read the papers carefully over the last few months, the majority of the so-called leaks about our intelligence-gathering apparatus have come from the directors of those agencies themselves. They have not come from congressional staff, either on the House side or on the Senate side.

The release on yesterday that the FBI had engaged in illegal break-ins came from the Director of the FBI.

Mr. Chairman, I think what we see here, both from the FBI and from the Central Intelligence Agency, is an attempt on the part of those agencies to let the Congress know that they know that they need some supervision and some guidelines.

There was a time, I think in the early 1950's or 1960's, in the 1960's, when we were engaged in things like the Cuban missile crisis and the blockade of Berlin, when we found the intelligence apparatus

of this Nation invaluable to our national security. At that time we heard no complaints about the things that they were doing or the manner in which they were doing them because, in fact, they were dealing with an intelligence apparatus in the Soviet Union which was 10 times larger than ours, so I hear. The very fact that there was that kind of serious opposition kept our intelligence apparatus in some kind of legitimate perspective.

When we have our intelligence apparatus operating in a country like Chile, I suggest that we get another thing altogether. When we have our intelligence apparatus operating in Laos and Cambodia and Vietnam, I suggest we get some gray areas that need to be defined morally, and that the civil servants in any of our agencies are not the ones charged by the American people to do that definition. That definition has to come from the Congress of the United States.

Mr. Chairman, I would suggest that we are going to continue to get leaks from the agencies themselves. We have had at least three former CIA agents and at least two former FBI agents, that I know of, who have written books on the agencies. The allegations and revelations in those books are going to continue to come forward to the American people, and the American people are going to look to their elected representatives and say: "Why did you let this go on? Is this going on? It is your responsibility. We want intelligence, but we do not want dirty tricks."

Mr. Chairman, I think that unless we have a responsible committee going on with this kind of investigation, we are going to find ourselves being blamed for all of those things that have gone on in the years before. I see, as I say again, the intelligence community crying out to us for leadership.

We had a situation not far from my district, where a gentleman was running guns, not against a Communist country or even against a country about to become Communist, but against the little Republic of the Bahamas. Nobody was willing to bother him, in terms of the local police apparatus, because everybody in the local police in Georgia knew that he was sort of a CIA subcontractor and that he had been selling arms all over Latin America, presumably with CIA suggestion and clearance.

Now, what is to stop him from deciding where this country gets involved? I suggest that one cannot let any Georgia gunrunner determine the foreign policy of the United States. That is what we have got going on now, not the CIA being responsible, but about two or three steps removed from the CIA. Most of the things we are reading about in terms of assassination and everything else were two or three steps removed from the CIA.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. Young of Georgia was allowed to proceed for 1 additional minute.)

Mr. YOUNG of Georgia. Mr. Chairman, because one cannot do the kind of things that have been handled by decent men without separating oneself

from the chain of command, what we in the Congress have got to do is to establish a chain of command which makes us, as the Congress, responsible for the intelligence activities of this Nation, and which holds the people that we employ through the CIA and any persons that they contract with, directly responsible, because that kind of a network does not exist, and it will not exist unless this Congress sets it up.

I hope we will vote down this amendment, and go on with the investigation.

Mr. BOLLING. Mr. Chairman, I seek to establish a time to vote on the amendment.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. QUILLEN. Mr. Chairman, we have several Members on this side who desire to speak, which I would hope the Chairman would recognize. But since the Chairman has just recognized two Members from the other side, I think we are entitled to equal time. Therefore I object.

The CHAIRMAN. Objection is heard.

Mr. STEIGER of Arizona. Mr. Chairman, I move to strike the requisite number of words.

(Mr. STEIGER of Arizona asked and was given permission to revise and extend his remarks.)

Mr. STEIGER of Arizona. Mr. Chairman, I have listened to this debate intending not to support the amendment offered by the gentleman from Tennessee (Mr. QUILLEN), and I can tell the Members that in my relatively brief tenure of 9 years here this is the first time that I can remember being completely turned around and persuaded to support the amendment offered by the gentleman from Tennessee.

Why? Because of the testimony I have heard here in the well by those who would urge defeat of the amendment.

It is clear to me—and it must be clear, if it is clear to me, then it must be clear to everybody—the Members are a little laggard this morning—it is clear to me that the gentleman from California (Mr. DELUMS) has most eloquently stated and given the prima facie laboratory example of why this House must abandon this particular effort. He has recited here in the well every allegation that was ever dreamed up against the CIA, or probably ever will be. I think probably by the gentleman's willingness to recite and give credence to allegations which have been, by the gentleman's own words, as yet to be investigated, it seems to me to make it clear that the members of this committee have no concern for the intelligence community of this country. I guess that is the reason we have the mechanism we are putting into effect today since these people are dealing apparently by conscience, or desire for attention, or whatever—and I will not presume to attach a motive to it, it is clear that it is the responsibility of the House to bring them up short.

I would like to know from the Speaker, in the event the resolution offered by the gentleman from Missouri is

passed, what the membership of the committee would be. But I suspect that that is a question that is not to be answered before the vote, or one that perhaps the Speaker is not prepared to answer.

But I would submit that there is simply no question that even my good friend, the gentleman from Georgia (Mr. YOUNG) for whom my undiminished respect will stand, and my respect for the gentleman will always remain undiminished, but even that gentleman has fallen into the trap of reciting allegations about some alleged CIA gun-runner in the South.

It is this propensity to recite—with whatever credibility the floor of the House gives—this kind of garbage that makes this committee unfit to continue its investigatory capacity.

I submit to the Members that when the gentleman from California (Mr. DELLUMS) was in the process of reciting his allegations, I was very interested to observe the press, particularly Mr. Schorr, for whom I have a great deal of feeling, I think would be a fair statement. I noticed that Mr. Schorr could hardly contain his pencil at that moment. I am sure he found a great many new allegations to recite.

The fact is that the CIA, whatever its past, is a functioning, or used to be a functioning entity of this Government. The fact is that Mr. Colby has been up on this Hill 39 times—that does not count his appearances before the Rockefeller Commission—since this Congress convened, 41 percent of the time the Congress has been in session.

I have the rare privilege of serving on the committee chaired by the gentleman from New York (Ms. ABZUG)—and if one does not think that is a rare privilege, I invite those who do not share that privilege to join me on that committee. The gentleman from New York (Ms. ABZUG) has had Mr. Colby up before this august committee on two occasions, mostly to declaim whatever he was doing. In fact, his only purpose was to declaim whatever he was doing.

The fact is the only way we are going to resist this irresponsible kind of effort—which is exactly, unfortunately, what this alleged investigation has turned into—the only way we are going to stop it, the only way we are going to preserve whatever may be left of the function of the CIA—and I know there are people here who think the CIA ought to be done away with. Let them do away with it through proper legislative channels, not by slander, not by gossip, and not by publicity.

I will tell my friends that really the only protection that remains for the CIA is to protect it from this House. The only way to achieve that is to support the gentleman from Tennessee—and I tell the Members that with some reluctance because I did believe that the House ought to be able at least to accept the Anderson amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ICHORD. Mr. Chairman, I move to strike the requisite number of words.

(Mr. ICHORD asked and was given permission to revise and extend his remarks.)

Mr. ICHORD. Mr. Chairman, recognizing that this is an issue upon which reasonable minds can differ, I rise in opposition to the amendment of the gentleman from Tennessee and in defense of the position of the gentleman from Missouri (Mr. BOLLING). I also rise in equal opposition to the amendment that will be proposed by the gentleman from Illinois (Mr. ANDERSON) because I believe for all practical purposes it presents the same issue. For all practical purposes, the Senate is not going to abandon an ongoing investigation and substitute a joint House-Senate investigation. I am equally opposed to the amendment that will be presented by the gentlewoman from New York as being completely irrelevant.

Mr. Chairman, based upon a statement that I have heard made on the floor of this House and also off the floor of the House, I am led to believe that there are Members in this body who would abolish the CIA or the FBI without further ado. I am entirely convinced that there are other Members in this body who would so severely restrict the FBI or the CIA that they could not carry out their responsibilities in an effective but yet constitutional manner.

Equally I am led to believe, Mr. Chairman, that there are Members in this body, based upon the same observation, who believe that extremism in the defense of liberty is not a vice. No such Members should be permitted to serve on this committee. If there are Members who may be afflicted with "mikeitis" or "cameratitis" or "publicityitis," those Members should not serve on this committee.

Mr. Chairman, the question before this House is: Will the House carry out, can the House carry out its responsibilities?

Much of the debate today and much of the debate Monday was based upon personalities. I am not going to get involved in the argument whether the committee should be increased, whether present members should continue to serve, or whether certain members should be removed. That is a question, that is a responsibility for this House to carry out through its leadership.

The sole question, as so eloquently put by the gentleman from Missouri (Mr. BOLLING), is: Is the House capable of forming a committee to investigate and make recommendations concerning the reorganization of our intelligence and security agencies?

Mr. Chairman, the responsibility of this House is to legislate, to investigate, and to conduct oversight activities. We should carry out those responsibilities. A great deal of legislation is going to come before the House this session concerning the FBI and the CIA and I submit that the House should not deprive itself of its power to investigate and to be equally informed as the Senate upon these matters that will come before the House.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Chairman, I thank the gentleman for yielding.

I asked the gentleman to yield because I respectfully suggest he misapprehends the provisions of the substitute resolu-

tion I intend to offer. It would not be necessary for the Senate to either abandon its present investigation or to adopt a similar resolution before the House members of a joint committee could be immediately appointed by the Speaker and suggested by the minority leader and they could take up the unfinished work of the select committee.

Mr. ICHORD. Does the gentleman feel the Senate will abandon its ongoing investigation and set up a joint investigation? If the gentleman can assure me that the ongoing investigations will continue, his idea does have merit. I cannot believe the Senate will abolish its present committee.

Mr. ANDERSON of Illinois. It will not be necessary for the Senate to do so under the provisions of my substitute resolution.

Mr. QUILLEN. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Tennessee.

Mr. QUILLEN. Mr. Chairman, the gentleman makes a very impressive talk in favor of my amendment.

Mr. ICHORD. I cannot understand that.

Mr. QUILLEN. I said the committee should be abolished and then in due process this House should come up with a permanent committee for the oversight of all of the intelligence agencies and go forward in that respect.

Mr. ICHORD. As I understand the resolution of the gentleman from Missouri it does abolish the present committee. We should not be talking about whether present members will continue to serve or whether one member should be kicked off, or all the present membership will be terminated. This in effect would abolish the present committee and provide for formation of a new committee.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I thank the gentleman for yielding.

I concur with the statement of the gentleman from Missouri. I think it is an important function for this committee to protect these intelligence agencies while we study the abuses and the illegalities of the actions alleged.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

(On request of Mr. SNYDER, and by unanimous consent, Mr. ICHORD was allowed to proceed for 1 additional minute.)

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Kentucky.

Mr. SNYDER. Mr. Chairman, I want to ask the gentleman one question. What jurisdiction would this new committee have that is not now invested in either the Government Operations Committee or the Armed Services Committee or another committee of the House?

Mr. ICHORD. I would state to the gentleman from Kentucky, there is residual jurisdiction over these matters in several standing committees of the House, but I do think under the circumstances since we are going to have so much leg-

islation dealing with the FBI and dealing with the CIA that we are justified in setting up a separate investigatory committee in this case.

I would prefer a joint committee, as the gentleman from Illinois is recommending, if I thought that would be possible; but I think it is not practical to believe that the Senate is going to abandon its ongoing investigation and set up a joint committee.

Mr. SNYDER. But the jurisdiction does vest in the other committee, if they have the time.

Mr. ICHORD. That is quite true.

Mr. BEARD of Tennessee. Mr. Chairman, I move to strike the requisite number of words.

(Mr. BEARD of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. BEARD of Tennessee. Mr. Chairman, I rise in support of the amendment of my colleague, the gentleman from Tennessee. I had not planned on taking the floor on this particular amendment, but I felt it necessary as a result of remarks made by my colleague, the gentleman from Georgia.

I get a little upset and concerned when I continue to hear statements being made regarding the formal complaint that I have made against my colleague, the gentleman from Massachusetts (Mr. HARRINGTON) to the Ethics Committee, that this is part of a conspiracy or part of an effort to disclaim the CIA Committee. I want to reassure or assure this House for the first time that this is not part of a conspiracy, nor am I here to stand and defend all the actions of the CIA, because I think that some of them are indefensible.

The point of the matter is that the rules of the House were violated in this particular case. This may seem out of bounds in regard to the debate we are having today, but I think it is very pertinent to the debate we are having as to the make-up of the committee, as to the direction of the restrictions the committee is going to operate under.

I think as a result of my charges against my colleague, the gentleman from Massachusetts, we will now have to face up to reality as to what will be our responsibilities. I have heard that our responsibilities were felt to be higher than the rules of the House. I can appreciate this, but by the same token, as I have mentioned in the past, this is the same type of philosophy that was projected by the "Plumbers Group," Halde- man and Ehrlichman and the rest of them. I find this unacceptable.

Now we are talking about creating another committee. In the appointment of the members of this committee, where do we draw the line? Do we appoint Members to the committee who have stated they are against all covert activities, that they feel, as my colleague, the gentleman from California, has stated in defense of my colleague, the gentleman from Massachusetts, that it was his right or responsibility as a Member of Congress to make this ultimate decision to violate the rules of the House or not? What happens in our discussions of this committee or in the testimony taken by

this new committee, if it is created at this time? What happens when these decisions are made by individual Members that this is against the law, this is criminal, and then take it upon themselves to relate it for public consumption? What do we do then?

I think the way to go would be to let us before we create another committee establish guidelines. Let us have the Ethics Committee establish the guidelines as a result of my formal complaint. Let us face the issue head-on.

We are not just talking about the CIA. We are talking about possible top secret material that may be taken regarding missile locations and someone who feels this is bad and against the law, that it would kill people, say, "I feel responsible and have a responsibility to a higher authority, that I should release this."

I feel a major problem today is that we need to establish guidelines to the members of the new committee, or whatever this committee is that is established, as to what and how we are going to operate. I do not think that is so unreasonable. We had better all be thinking about our responsibility and what our reactions are going to be if this complaint is brought from the Ethics Committee to the House floor, because it is a very real possibility and it is one we are going to have to face up to, not just today, not just to a specific individual, whom I have nothing against; but the fact Congress needs to face this reality. How are we going to operate, because if we have 435 Members of Congress representing the most diversified constituency in the world, making decisions upon their preference, upon what is right or what is wrong, with no respect or responsibility to the House rules, then, gentleman and ladies, we could have total anarchy.

So, I think we owe it to ourselves and to our constituents and to the national security of this country that we resolve this question first before we get involved in deciding whether we have a committee of 10 members or 13 members or 20 members, or no committee at all. So, I say that now is not the time to create another committee, but to resolve this first question of what guidelines we are going to operate under.

Mr. MOSS. I move to strike the necessary number of words.

Mr. Chairman, I listened with considerable dismay to the remarks just made in this well by the gentleman from Tennessee. There has been no violation of the rules of this House by any person who is a member of the committee which is the subject of controversy. If there had been, conceding for purposes of debate only, a violation, it was a violation of the 93d Congress and not the 94th. I think that should be borne clearly in mind.

The rules do not carry over. We do not bind by the action of the previous Congress, nor are we answerable to a succeeding Congress for the role we may have played as Members, because we are elected here in this House for one Congress at a time. We do not continue until someone qualifies to succeed us. We are elected for 2 years, and 2 years only. And, this Congress sits for 2 years, and

2 years only. And, its rules operate for 2 years, and 2 years only.

The other body operates on the theory of being a continuing body. We do not. We have no such illusions as to our role. This is the 94th Congress of the United States. It started on the third day of January; it adopted its rules; it elected its committees and its Members then became answerable to the 94th Congress. If they breach the rules, if they violate in any manner the requirements of membership here, then they are answerable to this House.

But, for what I did in the 93d Congress, or for what I did in the 92d or 91st or 83d Congress, I will be damned if I will answer to you, sir, or to any other Member of this House, and make no mistake about it.

Mr. McCLODY. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Illinois.

Mr. McCLODY. Mr. Chairman, I thank the gentleman for yielding. I do not want to get into the subject that the gentleman appears to be discussing, but I do want to point out that in the resolution which is being offered by the gentleman from Missouri, there are specific provisions in section 6, with regard to confidentiality and secrecy by the members of the committee.

Mr. MOSS. I do not challenge the right of this House to impose any kind of a rule a majority determines is necessary or desirable.

Mr. McCLODY. I think it should be pointed out that we will endeavor in the working of the committee to maintain confidential and secrecy within the committee.

Mr. MOSS. The gentleman from Illinois is a very competent lawyer and a very competent parliamentarian, and he knows that that is an act of the 94th Congress. I have stated that I would be bound by any act of the 94th Congress, but I will not be bound by actions of the 93rd Congress.

Mr. McCLODY. I did not want to get into a discussion of what the gentleman is talking about, but only to point out that in this legislation that we are considering provision is made for confidentiality of material received.

Mr. MOSS. I recognize that, but again I point out that it is the 94th Congress, the one we are Members of now.

Mr. BEARD of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MOSS. Yes, I yield to the gentleman.

Mr. BEARD of Tennessee. Mr. Chairman, I have a feeling that the gentleman was referring to my statements.

Mr. MOSS. I hope it was not a feeling. I tried to be very specific that I was referring to the gentleman's statements.

Mr. BEARD of Tennessee. I was quite shocked at the language but, with no reference to that, let me just state that I think, in regard to the gentleman's statement, the gentleman may not have to report to me, and I think the gentleman's statement represents the absolutely total hypocrisy that is projected by some Members of this House.

Mr. MOSS. I will not yield to the gen-

tleman any longer. I will not yield to the gentleman. In fact, it is only because of the rules that I so referred to the Member who has just spoken.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. MOSS. Yes, I yield to the gentleman.

Mr. STRATTON. I thank the gentleman for yielding.

The gentleman said there has been no violation by members of the committee in the 94th Congress. I think we ought to set the record straight.

The gentleman from Ohio (Mr. JAMES V. STANTON) made a public announcement with regard to assassinations, and two other gentlemen on the committee, Mr. DELLUMS and Mr. KASTEN, I believe, just a week ago announced the infiltration of the White House by the CIA. That information was taken in executive session and under the rules of the House cannot be released publicly.

Mr. MOSS. I am not willing yet to concede that there has been a violation of the rules of this House. I stand on my previous statements!

Mr. PEYSER. Mr. Chairman, I move to strike the last word.

(Mr. PEYSER asked and was given permission to revise and extend his remarks.)

Mr. JAMES V. STANTON. Mr. Chairman, will the gentleman from New York yield to me?

Mr. PEYSER. Yes, I will yield for a moment.

Mr. JAMES V. STANTON. I thank the gentleman for yielding.

Mr. Chairman, I would like to state that the gentleman from New York (Mr. STRATTON) has made a crusade in the local papers in Cleveland, Ohio, of attacking me for what he alleges to be a statement in which I said that the CIA was a party to an assassination. I did not refer to any names, people or places. And the fact of the matter is that, having been attacked, I stand on my position, and I do not yield from that statement. But that is no less a dishonorable act or illegal act or violation of the rules of this House. No party was mentioned, but I did happen to see that the Vice President of the United States, Mr. ROCKEFELLER, did allege or did make reference to a former President and a former Attorney General by direct statement on a national television program, and I do not see the gentleman from New York getting up and berating the Vice President of the United States, and I do not think he is the sole captive of the judgment of the secrets in the Congress of the United States.

Mr. PEYSER. I thank the gentleman and, just so the record will be straight, there being two gentlemen from New York here, the gentleman from Ohio (Mr. JAMES V. STANTON) was referring to the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Chairman, I ask unanimous consent that the gentleman from New York (Mr. PEYSER) be permitted to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York (Mr. STRATTON)?

Mr. STEIGER of Arizona. I object.

The CHAIRMAN. Objection is heard.

Mr. PEYSER. Mr. Chairman, I will yield for 1 minute to the gentleman from New York (Mr. STRATTON), and I will still ask for an extension of time.

Mr. STRATTON. I appreciate the gentleman's yielding his brief time.

Mr. Chairman, I would simply like to point out that the statement has been made twice this morning that no member of the present committee has ever leaked any information. The information which the gentleman from Ohio gave to the press was clearly information received in executive session in the 94th Congress. As far as the former Governor of New York State, the present Vice President of the United States, is concerned, he is not of course a Member of the House of Representatives.

Mr. JAMES V. STANTON. I never said I received that information in executive session, and let that be put in the record. The gentleman from New York (Mr. STRATTON) does not attribute it to me, either.

Mr. PEYSER. I thank the two gentlemen for their comments.

I would like to say that I took the floor of the House at this time because I am still uncertain as to how I am going to ultimately vote on the issue, whether it is the Bolling resolution or the Anderson substitute.

I listened to the debate until nearly 10 o'clock the other evening, and I am going to stay on the floor so that I may listen to the rest of the debate today. However, I do think that we in this House have a real obligation in this particular matter.

I have been and am a supporter of the CIA and its worldwide intelligence-gathering capabilities. I have certainly been a strong supporter, and continue to be, of a strong defense for this country. However, I feel that I do not want to be part of a coverup of what may be—and I stress "may be"—a coverup of the domestic activities of the CIA.

It is for this reason that I feel a committee should remain in existence, and that a committee that is going to be studying the operations of the CIA domestically in this country is of the utmost importance.

I do not see how we in this House can say we have had enough of the CIA investigations when in reality we have not had any. I am very critical of this committee for its lack of action over the last 4 or 5 months. I am not going to get into an argument about whose fault that was or whether the committee wanted to act or did not want to act. The net result is that we are here on the floor of the House today because the committee did not give us any information concerning the CIA.

I think it is time we take some positive action, and the positive action is going to be to support a measure—and as I say, I am not prepared to say which one I will support at this time—that will guarantee a continuance or a start by the House of Representatives of the investigation of the domestic activities of the CIA.

Mr. Chairman, I will, therefore, urge the defeat of the amendment in the na-

ture of a substitute offered by my good friend, the gentleman from Tennessee (Mr. QUILLEN).

The CHAIRMAN. The time of the gentleman from New York (Mr. PEYSER) has expired.

(On request of Mr. HALBY and by unanimous consent, Mr. PEYSER was allowed to proceed for 3 additional minutes.)

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I thank the gentleman for yielding.

I just want to say in defense of the Vice President of the United States that I think his statements were clear. I do not believe he made the charges which are attributed to him, and I think this was an erroneous interpretation. I think his statements should stand for themselves, not the interpretations that were put on his statements in earlier remarks here today.

Mr. QUILLEN. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from Tennessee.

Mr. QUILLEN. Mr. Chairman, concerning the point that the gentleman has made that he thinks this committee should act and do some investigation of the CIA, does the gentleman recall that the Rockefeller Commission made a thorough investigation of the CIA and has reported? And that committee was headed by the gentleman's former Governor, who is at this time our Vice President. Does the gentleman know that the Church committee is now underway in investigating the activities of the CIA, both domestically and internationally?

My amendment would abolish the committee, but it would give the House time to come up with what is needed so that we can then go forward with the creation of a permanent committee.

Mr. PEYSER. Mr. Chairman, I appreciate the gentleman's remarks. Obviously I am well aware that the Vice President and the Commission did submit a report, but I believe very firmly that the Vice President's report in no way inferred that was the ultimate end of the investigation of the CIA. I think in fact the Vice President would be among the first to support the position that there would be perfectly logical grounds for the House of Representatives to conduct an investigation, which we have not as yet had.

That is all I am saying, that any vote, and particularly by my colleagues on the Republican side, that would say we do not want to know any more about what has happened here, that we know enough, I think, would be a mistake.

Mr. Chairman, I urge the Members to vote to defeat this amendment in the nature of a substitute, and then we can make up our own minds on the way we want to continue with this, whether we want to accept the Anderson amendment or the Bolling resolution or something that is ongoing.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. Yes, I yield to the gentleman from Illinois.

Mr. McCLODY. Mr. Chairman, I want to commend the gentleman from New York (Mr. PEYSER) on his position.

I want to state further that if we were to adopt the Quillen amendment, we would be abdicating our role and our entire job in this important area and saying that we have no business being in it or that it belongs in a Presidential commission or it belongs over in the Senate.

We do have a legitimate role here and we can fulfill it.

Mr. Chairman, I commend the gentleman for his very forthright position.

Mr. PEYSER. Mr. Chairman, I thank the gentleman for his comments.

(By unanimous consent, Mr. DENT was allowed to speak out of order.)

#### ALL CONGRESSIONAL CONTESTS NOW RESOLVED

Mr. DENT. Mr. Chairman, I asked for this time, for just 30 seconds, to announce that all of the contests against Members of Congress as a result of the last election have been resolved by our committee, and all present Members of Congress are seated permanently.

Mr. GIAIMO. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GIAIMO asked and was given permission to revise and extend his remarks.)

Mr. GIAIMO. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Tennessee (Mr. QUILLEN).

I urge the House to let us get on with our business, and let us not lose sight of the very important decision to be made here today.

If we get into the personalities of individual Members, we could go on and on ad infinitum, assessing blame and attributing credit. Loose claims of violations, where violations may or may not have taken place, should not be made. Let us stick to the issues and keep this debate on a high level.

Mr. Chairman, the gentleman's amendment deserves to be defeated. There is ample reason for continuing investigations of the intelligence agencies of the United States.

Those of us who have served in this body know the cast of characters. We know the motivations of those who want investigations, of those who were shocked by the allegations which have come out in the newspapers, of those who would have us destroy the intelligence agencies, and of those who would tolerate anything which the intelligence agencies might do. I like to believe, however, that the overwhelming majority of us are somewhere in the middle and that we recognize the need for an FBI and the need for a CIA.

While we recognize the need for intelligence operations, we also know, as experienced legislators and as students of history, that many dangerous things can happen in secrecy. It is our duty in the Congress, as Representatives, to exercise to a much greater degree than we have to date the oversight function.

Mr. Chairman, I want an intelligence-gathering function in this country, but I want no secret government operating and deciding for itself what is right and what is not right.

This is what we are trying to look into, and I will suggest to the gentleman from

Tennessee (Mr. QUILLEN) that there is ample room for the House to do this.

Therefore, Mr. Chairman, let us rise above a discussion of personalities, and let us recognize that we were mandated by this House months ago to conduct an investigation of our intelligence community.

We are faced with abolishing the present Select Committee on Intelligence and creating a new one, albeit with 13 members rather than 10. Of course, the question is going to arise with respect to the makeup of the membership of the committee. Why? Although some members may want off for their own personal reasons, it is suggested that an effort is being made to force off of the committee some members who do not want off. There are other suggestions that an enlargement of the committee would be for the purpose of changing the character of the committee or broadening the responsibilities, whatever they may be.

Let us decide on the issues, but let us not get into the business of accusing members of attributing bad motives with respect to the intentions and the purposes of members' activities.

Mr. Chairman, let us rise above that. Let us say no to this amendment.

Let us either keep in existence the present select committee or, if we will, create a new one, but let us get on with the job. I submit to the Members there is a need for a job to be done in this area.

For 25 years, since the end of World War II, it has been impossible for Members and for the public to look into the activities of the CIA, the FBI, or any of the other intelligence agencies of the U.S. Government. Fortuitously at this particular period in history, perhaps because of the Watergate investigation—if the Members will excuse my making reference to that, although I would suggest that some Members on the other side of the aisle also opposed some of those investigations—we now have the ability in this Congress to look into these agencies which were once sacred cows, and which, literally, we could not touch before.

We now have this rare opportunity to look into them, to analyze them, to see if, in fact, they are infringing on the rights of the American people. I submit to the Members that we not lose this opportunity to continue the investigation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLLING. Mr. Chairman, I move to strike the requisite number of words, and I do so for the purpose of saying: Let us vote on the Quillen amendment.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Tennessee (Mr. QUILLEN).

The question was taken; and the Chairman announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. QUILLEN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 122, noes 293,

answered "present" 2, not voting 17, as follows:

[Roll No. 390]

#### AYES—122

Abdnor	Gradison	Murtha
Alexander	Guyer	Myers, Ind.
Ashbrook	Hagedorn	O'Brien
AuCoin	Hammer-	Pettis
Bafalis	schmidt	Poage
Bauman	Hansen	Pressler
Beard, Tenn.	Harsha	Quillen
Bevill	Hastings	Rhodes
Broomfield	Hebert	Roberts
Brown, Calif.	Hillis	Robinson
Brown, Ohio	Holt	Rousselot
Broyhill	Hubbard	Santini
Buchanan	Hutchinson	Satterfield
Burgener	Hyde	Schroeder
Burleson, Tex.	Jarman	Schulze
Byron	Jenrette	Sebelius
Carter	Johnson, Pa.	Shriver
Casey	Jones, Okla.	Shuster
Cederberg	Jones, Tenn.	Sikes
Chappell	Kelly	Smith, Nebr.
Ciancy	Kemp	Snyder
Clausen,	Ketchum	Spence
Don H.	Kindness	Steed
Clawson, Del.	Krueger	Steiger, Ariz.
Collins, Tex.	Lagomarsino	Stratton
Conable	Landrum	Stuckey
Cornell	Lent	Talcott
Crane	Levitas	Taylor, Mo.
Daniel, R. W.	Litton	Taylor, N.C.
de la Garza	Lloyd, Tenn.	Waggonner
Derwinski	Lott	Walsh
Devine	McDonald	Wampler
Dickinson	McEwen	Whitehurst
Duncan, Oreg.	Martin	Wiggins
Duncan, Tenn.	Mathis	Wilson, Bob
Edwards, Ala.	Michel	Winn
Fithian	Miller, Ohio	Wydler
Florio	Mitchell, N.Y.	Wylie
Flynt	Montgomery	Young, Alaska
Forsythe	Moore	Young, Fla.
Frey	Moorhead,	Young, Tex.
Goodling	Calif.	

#### NOES—293

Abzug	Cotter	Hamilton
Adams	Coughlin	Hanley
Addabbo	D'Amours	Hannaford
Ambro	Daniel, Dan	Harkin
Anderson,	Daniels, N.J.	Harrington
Calif.	Danielson	Harris
Anderson, Ill.	Davis	Hawkins
Andrews, N.C.	Deaney	Hayes, Ind.
Andrews,	Dellums	Hays, Ohio
N. Dak.	Dent	Hechler, W. Va.
Annunzio	Derrick	Heckler, Mass.
Armstrong	Diggs	Hefner
Ashley	Dingell	Heinz
Aspin	Dodd	Helstoski
Badillo	Downey	Henderson
Baldus	Downing	Hicks
Barrett	Drinan	Hightower
Baucus	du Pont	Hinshaw
Beard, R.I.	Early	Holland
Bedell	Eckhardt	Holtzman
Bennett	Edgar	Horton
Bergland	Edwards, Calif.	Howard
Biaggi	Ellberg	Howe
Biester	Emery	Hughes
Bingham	English	Hungate
Blanchard	Eriensborn	Ichord
Blouin	Esch	Jacobs
Boggs	Eshleman	Jeffords
Boland	Evans, Ind.	Johnson, Calif.
Bolling	Evins, Tenn.	Johnson, Colo.
Bonker	Fary	Jones, Ala.
Bowen	Fascell	Jones, N.C.
Brademas	Fenwick	Jordan
Breaux	Findley	Kasten
Brinkley	Fish	Kastenmeier
Brodhead	Fisher	Kazen
Brooks	Flood	Keys
Brown, Mich.	Flowers	Koch
Burke, Calif.	Foley	Krebs
Burke, Fla.	Ford, Mich.	LaFalce
Burke, Mass.	Ford, Tenn.	Latta
Burlison, Mo.	Fountain	Leggett
Burton, John	Fraser	Lehman
Burton, Phillip	Frenzel	Lloyd, Calif.
Carney	Gavdos	Long, La.
Carr	Giaimo	Long, Md.
Chisholm	Gibbons	Lujan
Clay	Gilman	McCloy
Cleveland	Ginn	McCloskey
Cochran	Goldwater	McCollister
Cohen	Grassley	McCormack
Collins, Ill.	Green	McDade
Conte	Gude	McFall
Conyers	Haley	McKay
Corman	Hall	McKinney

Macdonald	Patterson,	Skubitz
Madden	Calif.	Slack
Madigan	Pattison, N.Y.	Smith, Iowa
Maguire	Pepper	Solarz
Mahon	Perkins	Spellman
Mann	Peysers	Staggers
Mazzoli	Pickle	Stanton,
Meeds	Pike	J. William
Melcher	Preyer	Stanton,
Metcalf	Price	James V.
Meyner	Pritchard	Stark
Mezvinisky	Quie	Steelman
Mikva	Railsback	Stephens
Millford	Randall	Stokes
Miller, Calif.	Rangel	Studds
Mills	Rees	Sullivan
Mineta	Regula	Symington
Minish	Reuss	Thompson
Mink	Richmond	Thone
Mitchell, Md.	Rinaldo	Thornton
Moakley	Risenhoover	Traxler
Moffett	Rodino	Treen
Moorhead, Pa.	Roe	Tsongas
Morgan	Rogers	Ullman
Mosher	Roncalio	Van Deerlin
Moss	Rooney	Vander Jagt
Mottl	Rose	Vander Veen
Murphy, Ill.	Rosenthal	Vanik
Murphy, N.Y.	Rostenkowski	Vigorito
Myers, Pa.	Roush	Waxman
Natcher	Roybal	Weaver
Neal	Runnels	Whalen
Nedzi	Ruppe	White
Nichols	Russo	Whitten
Nix	Ryan	Wilson, C. H.
Nolan	St Germain	Wilson, Tex.
Nowak	Sarasin	Wirth
Oberstar	Sarbanes	Wolf
Obey	Schauer	Wright
O'Hara	Schneebell	Yates
O'Neill	Seiberling	Yatron
Ottinger	Sharp	Young, Ga.
Passman	Shipley	Zefaretti
Patman, Tex.	Simon	
Patten, N.J.	Sisk	

ANSWERED "PRESENT"—2

Breckinridge Gonzalez

NOT VOTING—17

Archer	Fuqua	Steiger, Wis.
Bell	Karth	Symms
Butler	McHugh	Teague
Conlan	Matsunaga	Udall
Evans, Colo.	Mollohan	Zablocki
Fulton	Riegle	

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Symms for, with Mr. McHugh against.  
Mr. Conlan for, with Mr. Riegle against.  
Mr. Teague for, with Mr. Zablocki against.

The result of the vote was announced as above recorded.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. ANDERSON of Illinois: On page 1, strike all after the "Resolved" clause and insert in lieu thereof the following:

"That the Select Committee on Intelligence is abolished immediately upon the adoption of this resolution. However, funds authorized for the use of the Select Committee under House Resolution 138 may be expended for a period not to exceed thirty days for the purposes of staff salaries and for the payment of expenses incurred by the select committee prior to the adoption of this resolution. All papers, documents, and other materials generated by the select committee shall be transferred upon the adoption of this resolution to the keeping of the Clerk of the House, pending their further disposition as provided by section 2 of this resolution.

"TRANSFER OF AUTHORITY, MATERIALS, AND FUNDS

"Sec. 2. Upon the adoption by the House of Representatives of a bill or resolution es-

tablishing a joint committee on intelligence (by whatever name), it shall be in order to immediately appoint the House members to that committee for the purpose of assuming the full authority previously delegated to the Select Committee on Intelligence, under the provisions and conditions, and using the remaining available funds, of House Resolution 138. The House members of the joint committee shall constitute an interim ad hoc committee on intelligence of the House until such time that final action is taken on the bill or resolution establishing the joint committee or until January 10, 1976, whichever is earlier. The papers, documents, and other materials in the keeping of the Clerk of the House under section 1 of this resolution shall be transferred to the interim ad hoc committee upon its appointment."

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Chairman and members of the committee, I think the House has very convincingly demonstrated by a vote of more than two and a half to one that it does not desire to simply abolish the present Select Committee on Intelligence and do nothing more. I support that decision. However, although I devoutly believe in the Resurrection that took place 2000 years ago, I do not believe in the death and instant resurrection of a select committee of Congress. It seems to me that is what we are trying to achieve under the resolution now before the House, House Resolution 591.

The gentleman from Georgia (Mr. YOUNG) spoke, and very correctly so, of the need to establish a chain of command that would establish, as he put it, congressional accountability for the intelligence activities carried on by this country. I would suggest that this very worthy purpose will not be accomplished simply by the attempt to recreate the existing select committee. Only when we come to the point of being willing to concede that a Joint Committee on Intelligence with continuing oversight responsibility should be created, will we fully discharge our responsibility in that regard.

Mr. Chairman, I want to answer a couple of the arguments that have been raised against this proposition today by my friend from Illinois (Mr. McCLORY), who seeks to preserve his present ranking status on the select committee—and I would support him, I will assure him, on any future assignment in connection with the intelligence investigation—but he said that the House inquiry would be out of business if the Senate would take sudden action acquiescing in the creation of a joint committee.

I would point out that the Senate certainly is not going to do that because, until the Church committee reports to it at the end of the year, there is not going to be any Senate action—I am convinced of that. In the interim period, if the House proceeds as I am sure it would to promptly adopt the resolution creating a joint committee, the House Members could be immediately appointed by the Speaker and suggested for membership by the minority leader and function as an interim, ad hoc committee to continue and carry out the work of this present Select Committee on Intelligence. There would be no hiatus.

Second, the gentleman said that only the present committee or its successor

will be in a position to recommend how the Congress should proceed to go about improving its intelligence oversight function. While I appreciate that one of the mandates of the present select committee is to address itself to the question of improving or reorganizing oversight by the Congress, I think to imply that the Rules Committee, which after all does have original jurisdiction over this matter, does not have the capability of formulating a sound and effective joint committee proposal is to do a disservice to the members of the Committee on Rules.

Let me further point out that the distinguished chairman of the Rules Committee assured me this week, when we were holding hearings on this proposition, that he would promptly schedule a hearing before that committee on the propositions now pending before the Committee on Rules to set up a joint committee.

In other words, there is no need to fear a hiatus, a gap of any kind. The Committee on Rules can proceed promptly with a hearing on how to best fashion the instrumentality by which we can assure the people of this country that they are getting an effective, continuing oversight on intelligence that we should have.

To simply tinker with the present membership of the Select Committee on Intelligence, that is the formula for delay. There is no assurance whatever, whether you continue with the present 10 members or whether you take off some members, that you are going to get the kind of down-the-line continuing oversight that we have needed in this country for the last 27 years, ever since the CIA was established.

So I would suggest that that, rather than the substitute which I am proposing, is the real prescription for delay.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman.

Mr. McCLORY. I want to commend the gentleman for his enthusiasm and zeal regarding proposals for oversight, and I think they are good recommendations for goals for the purpose of assuming the rightful role of responsibility of this House of Representatives.

Mr. ANDERSON of Illinois. Will the gentleman let me reclaim my time?

A very distinguished former chairman of his committee used to say that on the street of by-and-by we come to the land of never-never. We waited for 27 years to get a joint committee. Let us show the people of this country that we have the initiative here and now, today, in July 1975, to take the first step to put the first stone in place to start erecting the foundation that will create that joint committee, not wait for some recommendation that might come a year hence. The Rockefeller Commission on the CIA has recommended this. There is no question there is a need before the country today.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. BROOMFIELD and by unanimous consent, Mr. ANDERSON of Illinois was allowed to proceed for 1 additional minute.)

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, I rise in support of the amendment to House Resolution 591 offered by the distinguished chairman of the House Republican Conference, the gentleman from Illinois.

During my period of service on the Murphy Commission and in light of revelations about the excesses of and lack of control over the intelligence community, I became convinced of the clear, urgent requirement for a Joint Committee on Intelligence Oversight. On June 25, the chairman of the Committee on International Relations and I introduced H.R. 8199 to establish a Joint Committee on Intelligence Oversight effective January 3, 1976, the deadline for the current select committee to complete its investigation. I note that the gentleman from Illinois is a cosponsor of similar legislation introduced the same day.

In suggesting January 1976 as the effective date of the establishment of the joint commission, our intention was not to prejudice the status of the Nedzi committee or any investigation it might undertake during this session of Congress. We assumed, or at least allowed for the possibility, that the select committee would resolve its membership problems and meet its January deadline. Recent events have shown us to be strong on oversight, but short on foresight.

I now believe it is questionable indeed whether the Select Committee on Intelligence, as currently constituted, is going to perform any useful function during this session. I see little to be gained from playing musical chairs with the members of the committee which has become crippled and suspect through no fault of its chairman. Our approach to oversight requires not a compromise solution, but a new, creative assessment of the problem and a clean break from past efforts. I believe the proposal of the gentleman from Illinois is such an approach; it provides the most efficient and effective means available for the House to begin to seize upon the question of intelligence oversight.

I sense general agreement in the House on the need for a Joint Committee on Intelligence Oversight—the sooner the better. Let us now move promptly toward a new beginning on this important issue. As a coauthor of H.R. 8199, I believe this would be the appropriate vehicle for the establishment of a joint committee, but I am less concerned with pride of authorship than with the principle involved—the necessity for Congress to offer a clear signal that we are prepared to accept responsibility for oversight. As long as an effective joint committee with a comprehensive mandate is established in the near future, I am not particularly concerned about who gets credit for the initiative.

In supporting the amendment of the gentleman from Illinois, I am accepting the assurance that the Rules Committee will promptly report out a bill calling for the formation of a Joint Committee on

Intelligence Oversight. I would strongly resist any situation in which the select committee is abolished without the promise of a new joint committee to take its place.

Intelligence oversight is an issue of overwhelming urgency and public concern. It must not become the object of partisan infighting or legislative bickering. The issue before us is clear: How can Congress most effectively move to establish control over all intelligence activities conducted by our Government? In my opinion, the amendment offered by the gentleman from Illinois provides the best avenue of approach.

Mr. MYERS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Pennsylvania.

Mr. MYERS of Pennsylvania. I would also like to commend the gentleman for presenting what has been the most logical position on intelligence oversight in a long time to this House. I hope it does not make too much logic so that it is unacceptable to the House.

Mr. Chairman, I think now is the time, as the gentleman stated, to do what should have been done years ago. Just because we have a special committee in place is no strong argument for not doing what we should do to have a permanent Joint Committee on Intelligence.

Mr. ANDERSON of Illinois. I thank the gentleman.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman.

Mr. McCLORY. I would ask the gentleman this: How would this ad hoc committee which would be set up, which would presumably have a 9-to-4 or 7-to-3 membership, be meshed into a joint committee with the Senate, which is composed of a 5-to-4 membership?

Mr. ANDERSON of Illinois. The gentleman misunderstood the proposition. There is no intention to mesh with the present Senate committee. That would, obviously, be up to the Senate, by a resolution which they adopt, to determine how many members they would contribute to this committee. I see no need to mesh the Church committee with this proposal.

Mr. BOLLING. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment in the nature of a substitute.

Mr. Chariman, I feel that I should inform the committee of the facts concerning the procedure in this situation. This matter, as it was being followed to a conclusion on Monday night, was postponed at the insistent demand of certain Members on this side. Time was found to consider this matter this morning.

I said on Monday night that the schedule of the House is so heavy that it was impossible to find any time to consider this except on Monday night, and that is why it was being brought up. We found 2 or 3 hours to consider it today, and as I stand here stating this situation, I am wasting 1 of the minutes that remain in the last hour of our time on the floor here today. I tried to close debate somewhat

early on the previous amendment which was defeated by a vote of 2½ to 1.

I have no intention of trying to infringe on the right of the House to take just as much time as it wants, but if we wish to dispose of this matter today, we must move expeditiously.

I oppose the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. ANDERSON). I think it is an ingenious way of prejudging something that should be judged by the select committee. I think the amendment should be voted down. I persist in the view that we should have a select committee which would make a series of recommendations. I do not think the House should prejudge a joint committee matter, no matter how strongly I myself support that position, any more than I think the House should prejudge the membership of the select committee or the joint committee.

Mr. Chairman, I ask for a vote on the Anderson amendment.

Mr. EDGAR. Mr. Chariman, I move to strike the requisite number of words.

(Mr. EDGAR asked and was given permission to revise and extend his remarks.)

Mr. EDGAR. Mr. Chairman, I rise in support of the Anderson amendment. I disagree with my colleague, the gentleman from Missouri (Mr. BOLLING). I think that this particular direction should be taken now.

Mr. Chairman, for many months we have all been exposed to rumors and innuendos about the excesses of a number of our intelligence operations, most notably the CIA. Investigations by both the Presidential Commission and the Senate committee have verified that a number of these incidents, once scoffed at, have actually occurred, and may only be the tip of a sinister iceberg.

The American people have been horrified at violations of not only the letter of the law, but also the spirit. Tragically, there have been violations of the basic human rights of individuals by our intelligence agencies. We know very little about the intelligence community, not even an estimate as to how much this chamber appropriates each year to the CIA.

Mr. Chairman, I could go on and read my statement at this time, but I think it is probably more important for us to focus on the real issue here. The cosmetic repair the committee is offering, the proposal to change the number of members who serve on the Select Committee from 10 to 13, is only that—a cosmetic repair. The solution which has just been offered to do away with any kind of investigation was soundly defeated.

The point we have to face is that the logical solution to the problem of the rumors, the innuendos, is to set up a permanent committee, an ongoing committee.

I would simply raise the point that the oversight of our intelligence community is not like that of a Joint Committee on Aging or like a Joint Committee on Energy or like a joint committee on many of the issues that we have, but it is the logical way in which the United States of America, through both the House and

the Senate, can oversee, review, and analyze the intelligence agencies.

Mr. Chairman, for years, our oversight into these agencies has been marginal at best, and it is clear that the American public wants to believe that if a monster exists, at least it is being watched and snared.

I believe we would be abrogating our duty if we did not engage in an active, purposeful investigation. So far, the investigation has been a sham. As a voter, would you have confidence in a legislative body which after 6 months of inaction, engaged in 2 hours of debate upon whether the committee should have 10 or 13 members or be totally abolished? I think not. However, in listening to and participating in Monday night's debate, it was clear to me that a Joint Committee on Intelligence Operations would be formed eventually. There is a broadening bipartisan consensus in the House, supported by recommendations by the Rockefeller commission, that there is at present no effective mechanism for oversight.

Mr. Chairman, we have been bogged down in personalities and internal conflicts at the expense of fulfilling our constitutional responsibilities. I can only ask—if we eventually agree that a joint committee will be necessary, why do we not build the foundation right now when it is most vitally needed?

My distinguished colleague from Illinois, Mr. McCLORY, pointed out Monday evening that the Rockefeller commission concentrated upon domestic CIA operations, and the well-oiled Senate investigation is concentrating upon foreign intelligence operations of the CIA. This amendment offered by Mr. ANDERSON and Mr. BIESTER would extend these investigations to provide oversight into the entire range of intelligence community. A joint committee would avoid overlap of a separate House and Senate committee, while pooling financial resources to integrate this oversight. A joint committee would provide a comprehensive congressional reply with a viable recommendation. We must avoid the bickering among ourselves which has frustrated any realistic House action.

I do not see how we can agree as a body unless we are willing to concede that our internal squabbling has failed to produce results. A compromise that will insure immediate action must be accepted. To vote against this amendment is an invitation to bring about continued conflicts, conflicts which may be unresolvable because of the heavy legislative demands on this Chamber.

Mr. Chairman, the question is oversight and I call upon my colleagues to support this amendment. I also call for the support of this Chamber for a joint committee which will not be intimidated when the heads of serpents peek out from under the rocks which the committee may overturn.

The allegations which have been made cannot be swept under the rug by the House of Representatives. This should be a bipartisan effort, and I feel that the Anderson amendment goes to the very heart of bipartisanship. We have made some mistakes in addressing these problems. The committee has made some

mistakes and individuals have made some mistakes. But to paraphrase a great baseball pundit, the American people would rather see errors of enthusiasm, than errors of indifference.

I yield back the balance of my time.

Mr. BURGNER. Mr. Chairman, will the gentleman yield?

Mr. EDGAR. I yield to the gentleman from California.

(Mr. BURGNER asked and was given permission to revise and extend his remarks.)

Mr. BURGNER. Mr. Chairman, I would like to associate myself with the remarks of the gentleman in the well in support of the Anderson amendment.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Illinois (Mr. ANDERSON) because I deeply believe that the long-range interests of this Nation can best be served by a stable oversight structure that involves the cooperation of both Houses of Congress.

This Nation needs an effective intelligence-gathering operation and a sophisticated intelligence evaluation service. We must not allow the very real and continuing need to insure against defects and mistakes to leave us without eyes and ears in the world. But we must not allow this need to prevent us from providing those safeguards which can assure the effective operation of a justifiable intelligence effort without significant breaches of the basic tenants of our society.

The other body is well underway in the task of investigating allegations of past excesses. I am confident that the investigation will provide the facts necessary to determine our future course. That is why I supported the Quillen amendment. We do not need to duplicate the efforts of that ongoing investigation.

But we most assuredly do need to address the future stability of our intelligence effort and the need for the proper safeguards against misuses. This amendment would provide the means to that end.

Mr. BIESTER. Mr. Chairman, will the gentleman yield?

Mr. EDGAR. I yield to the gentleman from Pennsylvania.

Mr. BIESTER. Mr. Chairman, I also desire to support the Anderson amendment. It makes eminent good sense, and I applaud the remarks of the gentleman from Pennsylvania (Mr. EDGAR).

As another gentleman from Pennsylvania said previously, this solution represents so logical and so rational an answer that perhaps it may not receive sufficient support. It deserves our support, and this House can demonstrate that it is as interested in preserving something for the future as it is in probing the past by supporting the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. ANDERSON).

Mr. EDGAR. Mr. Chairman, I thank the gentleman.

Mr. BRODHEAD. Mr. Chairman, I move to strike the requisite number of words.

(Mr. BRODHEAD asked and was given permission to revise and extend his remarks.)

Mr. BRODHEAD. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois (Mr. ANDERSON).

It seems to me that too much attention on this whole matter has been devoted to what has happened in the past. Too much time has been devoted to a discussion of misdeeds that may have happened 6, 8, 10, or 12 years ago.

Too much attention has been devoted to the internal battles within the select committee. Too much attention has been devoted, frankly, to the CIA.

Mr. Chairman, it seems to me that the issue facing us is, what can we, as the House of Representatives, do to improve the oversight of the intelligence community? What can we do to see that the work of these agencies is coordinated? What can we do to assure to each Member of this House that he or she has a basic knowledge of what is going on in the intelligence community so that we can stop improper actions and support the legitimate and necessary work that is being done?

We must correct the abuses, the clear abuses, that have happened in the past. It is obvious that some of our intelligence agencies have engaged in improper and illegal actions. However, rather than focus on those actions that happened in the past, I think we must focus on how we can keep those kinds of things from happening in the future, and I think an investigation is needed and recommendations are needed as to what we can do, as the House of Representatives, to rectify the situation.

The Senate is proceeding with its own investigation, and I think it is unrealistic to assume that the Senate is going to divert effort and money and staff from the investigation that it has ongoing to engage in the proposed joint venture with the House at this time. Perhaps it would have been a viable solution 6 months ago. I do not think it is viable today, since the Senate investigation is rather far along.

Mr. Chairman, I think what we need to do is to go ahead and do what the Committee on Rules has suggested, to reconstitute the select committee with a larger number of members, with perhaps some changes in the membership, so that we can go ahead with a meaningful investigation.

Should this amendment be defeated, I intend to oppose any further amendments that might be offered to keep the present membership of the committee. I do not want to take sides in what has occurred, but I do think that it should be clear to all of us that the select has not worked; it has not worked so far, and it does not look as though it is going to work in the future except with a new committee. I think we can go ahead and do the job under those circumstances.

Mr. Chairman, I am grateful to the chairman and to members of the existing committee. I think they have worked hard. I think they tried to do a job. They just found that there were irreconcilable conflicts among the members of the select committee.

I say, let us go ahead and put those matters behind us. Let us look to the

future and see whether we can do the job that needs to be done and do it right.

Mr. Chairman, I think the recommendation of the Committee on Rules with respect to the setting up of a new committee is the best way to go and is far superior to the suggestion offered by the gentleman from Illinois (Mr. ANDERSON).

Mr. McCLODY. Mr. Chairman, will the gentleman yield?

Mr. BRODHEAD. Yes, I yield to the gentleman from Illinois.

Mr. McCLODY. Mr. Chairman, I thank the gentleman for yielding.

I think we see eye to eye on this, and a joint committee would ultimately be an appropriate thing. However, it would provide a very confusing situation, including the possible establishment of an ad hoc committee and the effective abolishment within 30 days of the present committee.

This ad hoc committee, it seems to me, would follow the provisions of House Resolution 138, and would require the same composition as the select committee, which would be a very poor basis upon which to establish at some uncertain later date—a joint committee.

Therefore, Mr. Chairman, while I think the gentleman from Michigan (Mr. BRODHEAD) and I support the idea of a joint committee ultimately to oversee our intelligence agencies, we should have the advantages of the recommendations of the select committee, in the first place, the recommendations of the Rockefeller commission, and of the Murphy commission. We support that, but this is not the time at present, it is not the place, nor is it the way in which to carry out that objective.

Mr. Chairman, I thank the gentleman for yielding.

Mr. BRODHEAD. Mr. Chairman, I thank the gentleman for his remarks.

I think the gentleman is correct that a joint committee may ultimately be the answer, but I would like to have a recommendation from a House committee first that that is the way they think we should go and that that is the way they think we can best oversee the activities of the entire intelligence community.

Mr. SISK. Mr. Chairman, I move to strike the requisite number of words.

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. SISK. Mr. Chairman, as one of those who became earlier-on involved in this particular situation, I have listened with a great deal of interest to the discussion and some of the amendments, and so forth, that have been going on. I well agree with the position taken by the committee that the present Committee on Intelligence must be abolished. Where we go from there, of course, I think is the question at issue.

Let me say at this point that I take this time primarily to direct a question or two to my colleague, the gentleman from Illinois (Mr. ANDERSON).

First, Mr. Chairman, let me hasten to say that the Committee on Rules is really committed, and this was expressed by every Member of the Committee on Rules, as I recall, I believe almost with-

out exception, to the idea of the creation of a permanent Joint Committee on Intelligence.

It was urged from time to time throughout the discussion of this issue. And I for one am dedicated and would publicly make a commitment that I would move as expeditiously as possible so far as one member of that committee, to proceed in the direction of the creation of such a committee.

I have had some problems with the approach of the gentleman from Illinois, though, in view of the procedural question here. And if I could be, let us say, convinced that it would work, I would be inclined to support his amendment.

I do not believe there is any question, I would say, that my colleague, the gentleman from Missouri (Mr. BOLLING), who is handling this bill, is as dedicated as I am, or any other member of the Committee on Rules, to the ultimate establishment of a permanent oversight committee. And I am not trying to put words in his mouth.

As I understand his section 2, he says that upon the adoption by the House of Representatives of a bill or resolution establishing a Joint Committee on Intelligence, that then the members shall immediately be appointed. It would be my understanding that this, of course, would require—that is, the passage of such a resolution, both House and Senate action. In other words, at what point are we going to proceed with the joint committee, and that is what I would believe, I am sure we ultimately will do; or at least I would hope we will do, and what I understand the gentleman from Illinois is pointing toward, but I am at a bit of a loss as to how we can act independently from the standpoint of going immediately ahead and setting up an ad hoc committee.

I would appreciate a little bit more information on that, because it seems to me this will ultimately become a joint resolution of the two bodies, rather than a unilateral action by either body.

As the gentleman from Illinois knows, there is a large group of Senators, including Senator MANSFIELD, and a number of both Republicans and Democrats who are proposing, basically, exactly the same thing from the other side. Will the gentleman comment on that?

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SISK. Of course, I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Chairman, I thank the gentleman for yielding. First of all let me say that I appreciate his commitment to the concept of a Joint Committee on Intelligence.

I think it would be perfectly possible under the Rules of the House for this body to adopt a resolution, and which, under its terms, Members could be appointed immediately, as I have said, by the Speaker, to serve on a committee which would become a joint committee once the Senate had acted on that resolution.

But pending action by the Senate, that resolution would provide that the House Members could be appointed immediately to take up the work of the present select

committee so as to carry out the objectives that have been raised in House Resolution 591, but then, in addition thereto, by action of the Senate then they would become the House Members of the joint committee which could continue on with the more important task, I think, of continued oversight responsibilities.

Mr. SISK. Mr. Chairman, let me follow that up with the next question.

I assume, then, the gentleman from Illinois proposes that the House would pass simply a House resolution appointing the House Members of such a joint committee.

Mr. ANDERSON of Illinois. The gentleman is correct.

Mr. SISK. With the idea in mind that at the time when a joint resolution, which obviously is going to have to be passed, is passed, we might very well have to increase those memberships or decrease them, depending upon what was finally agreed upon by and between the other body and ourselves; is that not correct?

Mr. ANDERSON of Illinois. The gentleman is correct, and I see no insuperable obstacles involved in that.

There are various proposals pending in the Committee on Rules now. Some would call for a joint committee of 14 members; some would call for a joint committee of 19 members. I am not personally dogmatic on the size of that committee. I think that it ought not to be too large. I serve presently on a joint committee, the Joint Committee on Atomic Energy, which is made up of 18 members, 9 from the House and 9 from the Senate. I think we function very effectively, both as a legislative committee and as an oversight committee.

Mr. SISK. If the gentleman would permit me to continue, I agree with the gentleman. I have served on joint committees. I think they do work very well. I am not wholly sold on as many joint committees as some people would be. I think we have here to respect the integrity of each House, but in this case I think it is the only answer.

I agree with the gentleman. As I say, I am willing to pledge my support as a member of the Committee on Rules to proceed expeditiously in this direction. That is why I am intrigued with the gentleman's proposal.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. EDWARDS of California. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

I do not want to let the debate end without correcting the impression that there is wide support for a commitment to a joint committee of the Senate and the House for intelligence oversight. It is a very complicated suggestion. The Library of Congress is loaded with articles on the subject. There are many strong arguments against having a joint committee. I would think that we would be making a great mistake to make this decision today, without debate or hear-

ings on a final commitment to a joint committee.

We must address questions regarding the destruction of our bicameral legislative system and the impairment of the jurisdiction of the current standing committees of the House and the Senate. I can assure that once a joint committee is established regardless of the extent or limits of its jurisdiction, the White House will immediately instruct all the agencies to deal only with that joint committee. Then both Houses would be at the mercy not only of the permanent members of the joint committee but of the staffs, also.

There are 10 joint committees now. Can anyone here name all 10 joint committees?

The last point I want to make, Mr. Chairman, is that the mandate of the select committee includes a requirement that it recommend to this House whether or not there should be a joint committee or some other arrangement for further congressional oversight of U.S. intelligence agencies.

I think that we should turn the Anderson substitute down and await the recommendations of the select committee.

Mr. McCLODY. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of California. I yield to the gentleman from Illinois.

Mr. McCLODY. I thank the gentleman for yielding.

I just point out that in the first sentence of the gentleman's amendment, the committee would be abolished and the committee would remain abolished until such time as the joint committee was provided for in a new House resolution.

I would like to point out further that this business of adding members or subtracting members, depending upon what the Senate would do with any proposed new joint committee on intelligence would be something that would have to be taken care of in the proposal by which any such joint committee as set up. It seems to me this amendment of the gentleman from Illinois (Mr. ANDERSON) is way premature. It is very confusing. It is a great idea, and I support the idea as an ultimate goal, but at this time it is the wrong idea in the wrong place and at the wrong time. I hope it will be voted down, as the previous amendment was voted down.

Mr. EDWARDS of California. I thank the gentleman.

Mr. BOLAND. Mr. Chairman, the issue presented to this body by House Resolution 591 involves a very weighty problem for me. I have always held the conviction that the very nature of intelligence operations demands very competent and yet very discreet oversight.

The avalanche of revelations that has recently laid bare many previous activities of the CIA only goes to show that permanent oversight capability vested in a joint committee of this Congress is—and has been—sorely missed by the two Houses of Congress.

I myself first advanced this opinion within a few years of my arrival in the House. In 1955, along with my good

friend, the distinguished majority leader, my colleague from Massachusetts (Mr. O'NEILL), I proposed a joint committee to investigate and review the activities of our intelligence community, particularly the newly formed CIA.

Because of my belief that a permanent joint committee is required, if we seriously expect to prevent the kind of illegal and unconscionable acts that have already been perpetrated in the name of national security, I have reintroduced my resolution of 20 years ago.

At the same time, however, I sincerely believe that the present House inquiry, which, as we all know, has become critically bogged down, must continue.

The staff is there, as is the framework for an exhaustive investigation. There has never been any doubt as to the enthusiasm or commitment of the members of the committee to pursue an investigation.

Most importantly, this body is just as competent as the Senate to conduct such an inquiry, and it wishes to do so. The reasons for this are obvious and compelling. The House shares the responsibility of enacting laws which will protect the citizens of this country from threats both external and internal.

In every case, it must be on the alert to insure that the laws of the United States perform that duty or are amended to insure that they do.

I have said that I believe that a permanent joint committee is one of the long-range answers to the problems attendant on the issues now before us.

I do not believe, however, that this conviction should lead any member to vote to cut off the present House select committee's investigation—no matter how unsuccessful its record has been to date.

That would, to my mind, constitute an admission of the House's inability or unwillingness to get to the heart of the abuses that are reported to have been committed.

Such a termination, if approved, would only fuel the fires of criticism surrounding the House with further evidence of division and lack of direction.

I believe that the House must order its household by itself or it will be unable to order that of other agencies of government.

Accordingly, I oppose the amendment offered by the gentleman from Illinois—and I urge passage of House Resolution 591 as proposed by the Committee on Rules.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. ANDERSON).

The question was taken; and the Chair announced that the noes appeared to have it.

## RECORDED VOTE

Mr. ANDERSON of Illinois. Mr. Chairman, I demand a recorded vote. A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 178, noes 230, answered "present" 1, not voting 25, as follows:

[Roll No. 391]

## AYES—178

Abdnor	Gaydos	Murtha
Alexander	Gilman	Myers, Ind.
Anderson, Ill.	Goldwater	Myers, Pa.
Andrews, N. Dak.	Gooding	Nedzi
Armstrong	Gradison	O'Brien
Ashbrook	Grassley	O'Hara
Ashley	Guyer	Passman
AuCoin	Hagedorn	Pettis
Bafalis	Hammer-	Poage
Bauman	schmidt	Pritchard
Beard, Tenn.	Hansen	Quie
Bevill	Harsha	Quillen
Biester	Hastings	Railsback
Blanchard	Hechler, W. Va.	Rees
Bowen	Heckler, Mass.	Regula
Brinkley	Heinz	Rhodes
Broomfield	Hightower	Rinaldo
Brown, Mich.	Hillis	Robinson
Brown, Ohio	Hinshaw	Rostenkowski
Broyhill	Holt	Rousselot
Buchanan	Horton	Ruppe
Burgener	Howe	Santini
Burleson, Tex.	Hubbard	Sarasin
Carter	Hughes	Satterfield
Casey	Hutchinson	Schneebeli
Cederberg	Hyde	Schroeder
Chappell	Ichord	Schulze
Clancy	Jacobs	Sebelius
Clausen	Jarman	Shriver
Don H.	Jefords	Shuster
Cleveland	Jenrette	Simon
Cochran	Johnson, Colo.	Sisk
Cohen	Johnson, Pa.	Skubitz
Collins, Tex.	Kelly	Slack
Conable	Kemp	Smith, Nebr.
Conte	Ketchum	Snyder
Cornell	Kindness	Spellman
Coughlin	Krueger	Stanton
D'Amours	Lagomarsino	J. William
Devine	Latta	Steiger, Ariz.
Dingell	Lent	Stratton
Duncan, Oreg.	Levitas	Talcott
Duncan, Tenn.	Litton	Taylor, Mo.
du Pont	Lloyd, Tenn.	Thone
Edgar	Lujan	Traxler
Edwards, Ala.	McCloskey	Van Deerlin
Emery	McCollister	Vander Jagt
English	McDade	Walsh
Erlenborn	McDonald	Wampler
Esch	McEwen	Whalen
Eshleman	McKinney	Whitehurst
Evans, Ind.	Madigan	Wiggins
Fenwick	Maguire	Wilson, Bob
Fish	Mann	Winn
Fithian	Martin	Wyder
Florio	Mathis	Wyllie
Flynt	Michel	Yatron
Forsythe	Miller, Ohio	Young, Alaska
Frenzel	Minish	Young, Fla.
Frey	Mitchell, N.Y.	Young, Tex.
	Mosher	

## NOES—230

Abzug	Carr	Foley
Adams	Chisholm	Ford, Mich.
Addabbo	Clay	Ford, Tenn.
Ambro	Collins, Ill.	Fountain
Anderson, Calif.	Conyers	Fraser
Andrews, N.C.	Corman	Gialmo
Annunzio	Cotter	Gibbons
Aspin	Crane	Ginn
Badillo	Daniel, Dan.	Gonzalez
Barrett	Daniel, R. W.	Green
Baucus	Daniels, N.J.	Gude
Beard, R.I.	Danielson	Hailey
Bedell	Davis	Hall
Bennett	de la Garza	Hamilton
Bergland	Delaney	Hanley
Biaggi	Dellums	Hannaford
Bingham	Dent	Harkin
Blouin	Derrick	Harrington
Boggs	Derwinski	Harris
Boland	Dickinson	Hawkins
Bolling	Diggs	Hayes, Ind.
Bonker	Dodd	Hays, Ohio
Brademas	Downey	Hébert
Breaux	Downing	Hefner
Brodhead	Drinan	Helstoski
Brooks	Early	Henderson
Brown, Calif.	Eckhardt	Hicks
Burke, Calif.	Edwards, Calif.	Holland
Burke, Fla.	Edberg	Holtzman
Burke, Mass.	Evins, Tenn.	Howard
Burlison, Mo.	Fary	Hungate
Burton, John	Fascell	Johnson, Calif.
Burton, Phillip	Findley	Jones, Ala.
Byron	Fisher	Jones, N.C.
Carney	Flood	Jones, Okla.
	Flowers	Jones, Tenn.

Jordan	Natcher	Sarbanes
Kasten	Neal	Scheuer
Kastenmeier	Nichols	Seiberling
Kazen	Nix	Sharp
Keys	Nolan	Shipley
Koch	Nowak	Sikes
Krebs	Oberstar	Smith, Iowa
LaFalce	Obey	Solarz
Landrum	O'Neill	Spence
Leggett	Ottinger	Staggers
Lehman	Patman, Tex.	Stanton,
Long, La.	Patten, N.J.	James V.
Long, Md.	Patterson,	Stark
Lott	Calif.	Steed
McClory	Pattison, N.Y.	Steelman
McCormack	Pepper	Stephens
McFall	Perkins	Stokes
McKay	Peysers	Studds
Macdonald	Pickle	Sullivan
Madden	Pike	Symington
Mahon	Pressler	Taylor, N.C.
Mazoli	Preyer	Teague
Meeds	Price	Thompson
Melcher	Randall	Thornton
Metcalf	Rangel	Treen
Meyner	Reuss	Tsongas
Mezvinsky	Richmond	Ullman
Mikva	Risenhoover	Vander Veen
Milford	Roberts	Vanik
Miller, Calif.	Rodino	Waggonner
Mills	Roe	Waxman
Mineta	Rogers	Weaver
Mink	Roncalio	White
Mitchell, Md.	Rooney	Whitten
Moakley	Rose	Wilson, C. H.
Moore	Rosenthal	Wilson, Tex.
Moorhead, Pa.	Roush	Wolf
Morgan	Roybal	Wright
Moss	Runnels	Yates
Mottl	Russo	Young, Ga.
Murphy, Ill.	Ryan	Zeferetti
Murphy, N.Y.	St Germain	

ANSWERED "PRESENT"—1

Breckinridge

NOT VOTING—25.

Archer	Karth	Riegler
Baldus	Lloyd, Calif.	Steiger, Wis.
Bell	McHugh	Stuckey
Butler	Matsunaga	Symms
Clawson, Del.	Moffett	Udall
Conlan	Mollohan	Vigorito
Evans, Colo.	Montgomery	Wirth
Fulton	Moorhead,	Zablocki
Fuqua	Calif.	

So the amendment in the nature of a substitute was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Bell for, with Mr. Matsunaga against.  
 Mr. Symms for, with Mr. Vigorito against.  
 Mr. Steiger of Wisconsin for, with Mr. Riegler against.  
 Mr. Del Clawson for, with Mr. Mollohan against.  
 Mr. Conlan for, with Mr. McHugh against.  
 Mr. Zablocki for, with Mr. Karth against.

The result of the vote was announced as above recorded.

Mr. BOLLING. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I am forced to make a statement. I understand from the leadership that there is an absolutely essential matter that has to be considered beginning no later than shortly after 2:30. I understand it has something to do with an HEW appropriation bill, the Treasury, a variety of things. I am not privy to all of the details, but the leadership says they have to have the floor for other uses at 2:30.

Therefore, I am going to ask unanimous consent, and after I have asked unanimous consent, if it is turned down, I am going to move, and if the House turns that motion down, then we will rise at once, and when we will get back to this matter I have no idea.

First, I am going to ask unanimous consent that the resolution be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. BAUMAN. Mr. Chairman, I object. The CHAIRMAN. Objection is heard.

Mr. BOLLING. Mr. Chairman, then I can only ask unanimous consent that all debate on the resolution and all amendments thereto close at 2:30.

The CHAIRMAN. The gentleman should be advised that that request cannot be made until the resolution has been read.

Mr. BOLLING. Mr. Chairman, I understand it is an improper request, I want to demonstrate that I want to do everything I can. Unless we get the resolution considered as read and open to amendment, there is no opportunity of making a unanimous-consent request that all debate on the amendments to the resolution and the resolution close at 2:30. We have to get it read first. If we cannot do that, we cannot do anything, and I will move that the Committee rise.

Mr. Chairman, I will renew my unanimous-consent request. I ask unanimous consent that House Resolution 591 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. BAUMAN. I object.

The CHAIRMAN. Objection is heard.

Mr. BOLLING. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Missouri (Mr. BOLLING).

The question was taken; and on a division (demanded by Mr. BOLLING) there were—ayes 105, noes 39.

RECORDED VOTE

Mr. ERLÉNBOEN. Mr. Chairman, on that I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 242, noes 162, not voting 30, as follows:

[Roll No. 392]

AYES—242

Adams	Carney	Flowers
Anderson, Ill.	Casey	Flynt
Andrews, N.C.	Cederberg	Foley
Andrews,	Chappell	Fountain
N. Dak.	Chobran	Fraser
Annunzio	Corman	Gaydos
Aspin	Cornell	Ginn
AuCoin	Cotter	Gonzalez
Bafalis	Crane	Guyer
Baldus	Daniel, Dan	Hagedorn
Barrett	Daniel, R. W.	Haley
Beard, R.I.	Danielson	Hamilton
Bedell	Davis	Hammer
Bennett	de la Garza	schmidt
Bergland	Delaney	Hanley
Bevill	Dent	Hannaford
Blanchard	Derrick	Harris
Boland	Derwinski	Harsha
Bolling	Dickinson	Hastings
Bonker	Dingell	Hawkins
Bowen	Dodd	Hayes, Ind.
Brademas	Downing	Hays, Ohio
Breaux	Drinan	Hébert
Breckinridge	Duncan, Oreg.	Hefner
Brinkley	Duncan, Tenn.	Henderson
Brodhead	Eckhardt	Hicks
Brooks	Edwards, Ala.	Hightower
Broomfield	Elberg	Hillis
Brown, Calif.	English	Hinshaw
Buchanan	Eshleman	Holland
Burgener	Evans, Ind.	Howard
Burke, Fla.	Evins, Tenn.	Howe
Burke, Mass.	Fary	Hubbard
Burleson, Tex.	Fisher	Hungate
Burlison, Mo.	Flood	Ichord
Byron	Florio	Jacobs

Jarman	Moorhead,	Satterfield
Jenrette	Calif.	Schroeder
Johnson, Calif.	Morgan	Sebelius
Johnson, Pa.	Moss	Shipley
Jones, Ala.	Murphy, Ill.	Shriver
Jones, N.C.	Murphy, N.Y.	Sikes
Jones, Okla.	Murtha	Sisk
Jones, Tenn.	Natcher	Skubitz
Jordan	Neal	Slack
Kastenmeier	Nichols	Smith, Iowa
Kazen	Noian	Smith, Nebr.
Kelly	Oberstar	Solarz
Ketchum	Obey	Spellman
Keys	O'Brien	Spence
Krueger	O'Hara	Staggers
Lagomarsino	O'Neill	Stanton,
Landrum	Passman	J. William
Latta	Patman, Tex.	Steed
Lehman	Patten, N.J.	Steiger, Ariz.
Levitas	Patterson,	Stephens
Litton	Calif.	Sullivan
Lloyd, Calif.	Pattison, N.Y.	Symington
Lloyd, Tenn.	Pepper	Talcott
Long, La.	Perkins	Taylor, Mo.
Long, Md.	Pickle	Taylor, N.C.
Lott	Pike	Teague
McCormack	Poage	Thornton
McEwen	Pressier	Traxler
McFall	Preyer	Ullman
McKay	Price	Van Deerlin
Madden	Quillen	Vander Jagt
Maguire	Randall	Vander Veen
Mahon	Rangel	Waggonner
Mann	Reuss	White
Mathis	Risenhoover	Whitten
Meeds	Roberts	Wiggins
Metcalf	Robinson	Wilson, C. H.
Meyner	Rodino	Wilson, Tex.
Michel	Rogers	Wright
Milford	Roncalio	Wylie
Miller, Ohio	Rose	Yatron
Mills	Roush	Young, Alaska
Mink	Rousslet	Young, Fla.
Moakley	Runnels	Young, Ga.
Montgomery	Ryan	Young, Tex.
Moore	St Germain	
Moorhead, Pa.	Santini	

NOES—162

Abdnor	Ford, Tenn.	Mosher
Abzug	Forsythe	Mottl
Addabbo	Frenzel	Myers, Ind.
Alexander	Frey	Myers, Pa.
Ambro	Gaiamo	Nedzi
Anderson,	Gibbons	Nix
Calif.	Gilman	Ottinger
Armstrong	Goldwater	Pettis
Ashley	Goodling	Peysers
Badillo	Gradison	Pritchard
Bauman	Grassley	Railsback
Beard, Tenn.	Green	Rees
Biaggi	Gude	Regula
Biester	Hall	Richmond
Bingham	Hansen	Rinaldo
Blouin	Harkin	Roe
Brown, Mich.	Harrington	Rooney
Brown, Ohio	Hechler, W. Va.	Rosenthal
Broyhill	Heckler, Mass.	Rostenkowski
Burke, Calif.	Heinz	Roybal
Burton, John	Helstoski	Ruppe
Burton, Phillip	Holt	Russo
Carr	Holtzman	Sarasin
Carter	Horton	Sarbanes
Chisholm	Hutchinson	Scheuer
Clancy	Hyde	Schneebeil
Clausen,	Jeffords	Schulze
Don H.	Johnson, Colo.	Seiberling
Clay	Kasten	Sharp
Cleveland	Kemp	Shuster
Cohen	Kindness	Simon
Collins, Ill.	Koch	Snyder
Collins, Tex.	Krebs	Stanton
Conable	LaFalce	James V.
Conlan	Leggett	Stark
Conte	Lent	Steelman
Conyers	Lujan	Stokes
Coughlin	McCloskey	Stratton
D'Amours	McCloskey	Studds
Daniels, N.J.	McCollister	Thone
Dellums	McDade	Treen
Devine	McDonald	Tsongas
Downey	McKinney	Vanik
du Pont	Macdonald	Walsh
Early	Martin	Wampler
Edgar	Mazzoli	Waxman
Edwards, Calif.	Melcher	Weaver
Emery	Mezvinsky	Whalen
Erlenborn	Mikva	Whitehurst
Fascell	Miller, Calif.	Wilson, Bob
Fenwick	Mineta	Winn
Findley	Minish	Wolf
Fish	Mitchell, Md.	Wyder
Fithian	Mitchell, N.Y.	Yates
Ford, Mich.	Moffett	Zeferetti

NOT VOTING—30

Archer	Fulton	Rhodes
Ashbrook	Fuqua	Riegle
Baucus	Hughes	Steiger, Wis.
Bell	Karth	Stuckey
Boggs	McHugh	Symms
Butler	Madigan	Thompson
Clawson, Del.	Matsunaga	Udall
Diggs	Mollohan	Vigorito
Esch	Nowak	Wirth
Evans, Colo.	Quie	Zablocki

So the motion was agreed to.

The result of the vote was announced as above recorded.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. EVANS of Colorado, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the resolution (H. Res. 591) establishing a Select Committee on Intelligence, had come to no resolution thereon.

REQUEST FOR PERMISSION FOR COMMITTEE ON AGRICULTURE TO SIT DURING 5-MINUTE RULE THIS AFTERNOON

Mr. FOLEY, Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may sit during the 5-minute rule of the House this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. JOHNSON of Colorado. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

CONFERENCE REPORT ON H.R. 5901, MAKING APPROPRIATIONS FOR THE EDUCATION DIVISION AND RELATED AGENCIES

Mr. FLOOD, Mr. Speaker, I call up the conference report on the bill (H.R. 5901) making appropriations for the Education Division and related agencies for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 11, 1975.)

Mr. FLOOD (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. The gentleman from Pennsylvania (Mr. FLOOD) is recognized.

(Mr. FLOOD asked and was given permission to revise and extend his remarks.)

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Washington.

PERMISSION FOR SUBCOMMITTEE ON ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION OF COMMITTEE ON SCIENCE AND TECHNOLOGY TO SIT DURING HOUSE SESSION THIS AFTERNOON

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Subcommittee on Energy Research, Development, and Demonstration of the Committee on Science and Technology be permitted to sit this afternoon starting at 2 o'clock p.m. while the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FLOOD. Mr. Speaker, we bring before the House today the conference report on the education appropriation bill. This is not the usual Labor-HEW bill. This is a straight Education bill for the fiscal year 1976.

If we adopt this conference report and if the other body and the President cooperate this will be the first regular appropriation bill to be enacted for fiscal year 1976. This is important to the people at home and to all school districts. Members should tell their people back home, this will be the culmination of an effort to provide an early appropriation for all education programs.

This is something we have been trying to do for years. All of the State and local school officials and all the colleges and universities need to know in advance how much and what kind of Federal assistance will be available to them before they develop their education budgets. I hope that explains to Members why this is important to them today and important for their people at home?

Late appropriations for education have been the biggest problem for the State and local school administrators. Adopting this conference report is a direct response to that problem.

Some Members will say: "Wait a minute, Flood. This conference report is \$1.3 billion over the President's budget. Is that right?" It is right.

"How can we possibly vote for such an excessive amount?" "How can the President sign this bill in view of the large Federal budget deficit?"

I think the Members can and should adopt this conference report. I think the President can and should sign this education bill. There is no need for anyone to feel apprehensive about supporting this education bill when they find out what is in it. Not at all.

All right. Certainly this bill is over the budget and by a very large amount. That is no accident. But let me point out to the Members very quickly that almost \$800 million of that chunk that is over the budget is simply restoring reductions and terminations proposed by the budget for many of these education programs. Do the Members notice that?

Now, this is what the budget proposed to do:

Cut impact aid, a favorite pigeon, \$390 million.

Cut aid to higher education \$200 million.

Cut—hear this—programs for the handicapped, \$25 million.

Cut—another of our favorites—vocational education, \$60 million.

Now, hear this, cut emergency school aid—of all things—\$140 million.

Cut library assistance, oh, yes—\$60 million. How is that?

Cut bilingual education, \$14 million.

Now, is that what we want—wholesale reductions like that in education? Well, the conferences did not think the House wanted us to do that.

Now, when this bill was brought to the floor back on April 16, the committee recommended a total of \$6,800 million, which is about the same amount as 1975. Well, what happened? Two hundred fifty-nine Members right here said, "Whoa, that is not good enough for education. We will not take that"—259 Members. So the committee bill was increased by a floor amendment adding \$487 million. That is what we did.

It was clear then—and it is clear now—that a great majority of this body will not accept a standstill budget for education—period. So the House passed by a voice vote the total appropriations of \$7,332,995,000 for fiscal year ending 1976.

Now, of course, the other body supports education just as much as we do and they added \$349 million to the bill. The Senate bill totaled \$7,682,511,852.

Now, the conference agreement, what happened? The conference agreement is \$7,480,312,952. That is \$147 million above the House bill, but it is \$202 million below the Senate bill. So the conferees came out of the conference with a bill that is closer to the House figure than to the Senate figure.

I want to call attention to the fact that in this bill we include advance funding for fiscal year 1977. This is very important to bear in mind, as we reflect upon the size of this bill. We are talking about Federal assistance for the school year which begins in September 1976. The conference report includes \$2,563,351,852 in advance appropriations for the fiscal year 1977. That is an increase of \$11,600,000 above the House bill.

Now, we have included advance appropriations of over \$2 billion for title I grants for disadvantaged children; \$184,500,000 for the consolidated grants for support and innovation; \$110 million for the grants to assist handicapped children; \$71.5 million for adult education; \$147 million for consolidated grants for school libraries.

The major changes now from the House bill which we agreed to in the conference are: First, for elementary and secondary education, the conferees agreed to \$21 million over the House bill. About \$11 million of that is to take care of that problem caused by that new formula on grant consolidation under title IV of the Elementary and Secondary Education Act. The Members will recall that the committee was aware of the fact that 17 States would receive less funds under the grant consolidation than they received last year for comparable purposes. The only acceptable way we found to resolve the problem is to add a specific amount and a so-called hold

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**PERMISSION FOR SUBCOMMITTEES ON TRANSPORTATION AND COMMERCE AND ON CONSUMER PROTECTION AND FINANCE TO SIT TODAY WHILE HOUSE IS IN SESSION**

Mr. VAN DEERLIN. Mr. Speaker, I renew my unanimous consent request that the Subcommittee on Transportation and Commerce and the Subcommittee on Consumer Protection and Finance be permitted to sit in public session this afternoon while the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

**RENEWAL OF REQUEST FOR PERMISSION FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO SIT TODAY DURING THE 5-MINUTE RULE**

Mr. CHARLES H. WILSON of California. Mr. Speaker, may I renew the unanimous consent request that the Committee on Post Office and Civil Service be permitted to sit during the 5-minute rule this afternoon?

The SPEAKER. The Chair will advise the gentleman that the gentleman cannot do that in the absence of the person who made the objection.

**ESTABLISHING A SELECT COMMITTEE ON INTELLIGENCE**

Mr. BOLLING. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the resolution (H. Res. 591) establishing a Select Committee on Intelligence.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri (Mr. BOLLING).

The motion was agreed to.

**IN THE COMMITTEE OF THE WHOLE**

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. Res. 591), with Mr. EVANS of Colorado in the chair.

The Clerk read the title of the resolution.

The CHAIRMAN. When the Committee rose yesterday, the Clerk had read through the first section ending on page 2, line 4, of the resolution.

Are there further amendments to the first section?

**AMENDMENT OFFERED BY MR. LATTA**

Mr. LATTA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LATTA: On page 1, line 6 after the words "composed of", strike the word "thirteen" and insert in lieu thereof "seven."

(Mr. LATTA asked and was given permission to revise and extend his remarks.)

Mr. LATTA. Mr. Chairman, this is a very simple amendment, and is easily understood, I do not think we will need a lot of time to debate it. This reduces the members on this committee from the proposed 13 to 7.

I might say that when the Committee on Rules was discussing this proposed select committee, the gentleman from California indicated before the Committee on Rules that he had considered reducing the then existing committee from 10 members to 7. To show that there is nothing scared about the number, the gentleman from Missouri came up with the figure of 13, believing that perhaps we could eliminate some of the problems the prior committee had had by increasing the membership. I believe just the opposite is true. I believe that we can eliminate some of the troubles by reducing the membership. Not only that, I believe that by reducing the membership the opportunity for leaks will be reduced. Since we are dealing with our intelligence gathering agencies, that is vital to the security of this Nation, I do not think we should treat this amendment lightly. Therefore, Mr. Chairman, I propose that the proposed number of 13 be reduced to 7.

Mr. BOLLING. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio (Mr. LATTA).

Mr. Chairman, the number 13 is not just drawn from the sky. It provides room for those who might be reappointed and some additional members. It seems to me clear that a seven-member committee is simply not large enough to be a representative cross section of the House as seems to me to be very necessary in this very important and comprehensive study.

I hope that we can move along on these matters promptly. The gentleman from Ohio has indicated that he agrees with that notion, and I would hope we could have a vote on the amendment.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Ohio.

Mr. LATTA. Mr. Chairman, I thank the gentleman for yielding to me.

When the gentleman indicated a larger committee was necessary, namely, 13 members, that that would give us a cross section of the House, it seems to me that we do not have that many cross sections in the House, and that 7 members would be adequate.

For that reason, Mr. Chairman, I do not think there is any logic or anything sacred in the proposition that we have 13 rather than 7 members.

Mr. BOLLING. I have no pretense that the matter is sacred; I just think it is wiser.

Mr. Chairman, I hope the amendment offered by the gentleman from Ohio (Mr. LATTA) will be defeated.

The CHAIRMAN. The question is on

the amendment offered by the gentleman from Ohio (Mr. LATTA).

The question was taken; and on a division (demanded by Mr. LATTA) there were—ayes 27, noes 44.

**RECORDED VOTE**

Mr. LATTA. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 125, noes 285, answered "present" 3, not voting 21, as follows:

[Roll No. 401]

**AYES—125**

Abdnor	Emery	Miller, Ohio
Alexander	Eshleman	Moore
Andrews,	Florio	Myers, Ind.
N. Dak.	Forsythe	O'Brien
Armstrong	Frenzel	Pettis
Ashbrook	Frey	Peyster
Bafalis	Gaydos	Poage
Bauman	Goldwater	Pressler
Beard, Tenn.	Goodling	Quie
Bell	Gradison	Quillen
Blaggi	Grassley	Regua
Broomfield	Guyer	Rhodes
Brown, Ohio	Hagedorn	Rinaldo
Broyhill	Hammer-	Robinson
Buchanan	schmidt	Rousselot
Burgener	Hansen	Schneebeli
Burke, Fla.	Harsha	Schulze
Burleson, Tex.	Hastings	Sebelius
Butler	Hébert	Shriver
Byron	Heckler, Mass.	Shuster
Carter	Hillis	Skubitz
Casey	Hinshaw	Smith, Nebr.
Cederberg	Holt	Snyder
Chappell	Hutchinson	Spence
Ciancy	Ichord	Steiger, Ariz.
Clausen,	Jarman	Stratton
Don H.	Johnson, Pa.	Taylor, Mo.
Clawson, Del.	Kelly	Thone
Cleveland	Kemp	Treen
Cochran	Ketchum	Van Deerlin
Cohen	Lagomarsino	Walsh
Collins, Tex.	Latta	Wampler
Conable	Lent	Whitten
Conlan	Lott	Wiggins
Coughlin	Lujan	Wilson, Bob
Crane	McCollister	Winn
Daniel, R. W.	McDade	Wydler
Dent	McDonald	Wylie
Derwinski	McEwen	Yatron
Devine	Madigan	Young, Alaska
Dickinson	Martin	Young, Fla.
Downing	Mathis	Zefaretti
Duncan, Tenn.	Michel	

**NOES—285**

Abzug	Burke, Calif.	English
Adams	Burke, Mass.	Eriensborn
Addabbo	Burison, Mo.	Evans, Ind.
Ambo	Burton, John	Evins, Tenn.
Anderson,	Burton, Phillip	Fary
Calif.	Carney	Fascell
Anderson, Ill.	Carr	Fenwick
Andrews, N.C.	Chisholm	Findley
Annunzio	Clay	Fish
Ashley	Collins, Ill.	Fisher
Aspin	Conte	Pithian
AuCoin	Conyers	Flood
Badillo	Corman	Flowers
Baldus	Cornell	Flynt
Barrett	Cotter	Foley
Baucus	D'Amours	Ford, Mich.
Beard, R.I.	Daniel, Dan	Ford, Tenn.
Eedell	Daniels, N.J.	Fountain
Bennett	Danielson	Fraser
Bergland	Davis	Pulton
Bevill	de la Garza	Fuqua
Biester	Delaney	Gialmo
Bingham	Dellums	Gibbons
Blanchard	Derrick	Gilman
Blouin	Dingell	Ginn
Boggs	Dodd	Gonzalez
Boland	Downey	Green
Bolling	Drinan	Gude
Bonker	Duncan, Oreg.	Haley
Bowen	du Pont	Hall
Brademas	Early	Hamilton
Breaux	Eckhardt	Hanley
Brinkley	Edgar	Harkin
Brodhead	Edwards, Ala.	Harrington
Brooks	Edwards, Calif.	Harris
Brown, Mich.	Eilberg	Hawkins



Hayes, Ind.	Melcher	Roush
Hays, Ohio	Metcalfe	Roybal
Hechler, W. Va.	Meyner	Runnels
Hefner	Mezvinisky	Ruppe
Heinz	Mikva	Russo
Helstoski	Miller, Calif.	Ryan
Henderson	Mineta	St Germain
Hicks	Mitchell, Md.	Sarasin
Hightower	Mitchell, N.Y.	Sarbanes
Holland	Moakley	Satterfield
Holtzman	Moffett	Scheuer
Horton	Mollohan	Schroeder
Howard	Montgomery	Seiberling
Howe	Moorhead, Pa.	Sharp
Hubbard	Morgan	Shipley
Hughes	Mosher	Sikes
Hungate	Moss	Simon
Hyde	Mottl	Sisk
Jacobs	Murphy, Ill.	Slack
Jeffords	Murtha	Smith, Iowa
Jenrette	Myers, Pa.	Solarz
Johnson, Calif.	Natcher	Spellman
Johnson, Colo.	Neal	Staggers
Jones, Ala.	Nedzi	Stanton
Jones, N.C.	Nichols	J. William
Jones, Okla.	Nix	Stanton
Jones, Tenn.	Nolan	James V.
Jordan	Nowak	Stark
Kasten	Oberstar	Steed
Kastenmeier	Obey	Stephens
Kazen	O'Hara	Stokes
Keys	O'Neill	Stuckey
Kindness	Ottinger	Studds
Koch	Passman	Sullivan
Krebs	Patman, Tex.	Symington
Krueger	Patten, N.J.	Falcott
LaFalce	Pattison, N.Y.	Taylor, N.C.
Landrum	Pepper	Thompson
Leggett	Perkins	Thornton
Lehman	Pickie	Traxler
Levitas	Pike	Tsongas
Litton	Preyer	Udall
Lloyd, Calif.	Price	Vander Jagt
Lloyd, Tenn.	Pritchard	Vander Veen
Long, La.	Rallsback	Vanik
Long, Md.	Randall	Vigorito
McClory	Rangel	Waggonner
McCloskey	Reuss	Waxman
McCormack	Richmond	Weaver
McFall	Riegle	Whalen
McHugh	Risenhoover	White
McKay	Roberts	Whitehurst
McKinney	Rodino	Wilson, C. H.
Macdonald	Roe	Wilson, Tex.
Madden	Rogers	Wirth
Maguire	Roncallo	Wolf
Mahon	Rooney	Wright
Mann	Rose	Yates
Mazzoli	Rosenthal	Young, Ga.
Meeds	Rostenkowski	Zablocki

ANSWERED "PRESENT"—3

Breckinridge	Milford	Young, Tex.
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NOT VOTING—21

Archer	Mills	Rees
Brown, Calif.	Minish	Santini
Diggs	Mink	Steelman
Esch	Moorhead,	Steiger, Wis.
Evans, Colo.	Calif.	Symms
Hannaford	Murphy, N.Y.	Teague
Karsh	Patterson,	Ullman
Matsunaga	Calif.	

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 2. The select committee is authorized and directed to conduct an inquiry into—

(1) the collection, analysis, use, and cost of intelligence information and allegations of illegal or improper activities of intelligence agencies in the United States and abroad;

(2) the procedures and effectiveness of coordination among and between the various intelligence components of the United States Government;

(3) the nature and extent of executive branch oversight and control of United States intelligence activities;

(4) the need for improved or reorganized oversight by the Congress of United States intelligence activities;

(5) the necessity nature, and extent of overt and covert intelligence activities by United States intelligence instrumentalities in the United States and abroad;

(6) the procedures for and means of the protection of sensitive intelligence information;

(7) procedures for and means of the protection of rights and privileges of citizens of the United States from illegal or improper intelligence activities; and

(8) such other related matters as the select committee shall deem necessary to carry out the purposes of this resolution.

Sec. 3. In carrying out the purposes of this resolution, the select committee is authorized to inquire into the activities of the following:

(1) the National Security Council;  
 (2) the United States Intelligence Board;  
 (3) the President's Foreign Intelligence Advisory Board;

(4) the Central Intelligence Agency;  
 (5) the Defense Intelligence Agency;

(6) the intelligence components of the Departments of the Army, Navy, and Air Force;

(7) the National Security Agency;  
 (8) the Intelligence and Research Bureau of the Department of State;

(9) the Federal Bureau of Investigation;  
 (10) the Department of the Treasury and the Department of Justice;

(11) the Energy Research and Development Administration; and

(12) any other instrumentalities of the United States Government engaged in or otherwise responsible for intelligence operations in the United States and abroad.

Sec. 4. The select committee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpoenas may be issued over the signature of the chairman of the select committee or any member designated by him, and may be served by any person designated by the chairman or such member. The chairman of the select committee, or any member designated by him, may administer oaths to any witness.

Sec. 5. To enable the select committee to carry out the purposes of this resolution, it is authorized to employ investigators, attorneys, consultants, or organizations thereof, and clerical, stenographic, and other assistance.

Sec. 6. (a) The select committee shall institute and carry out such rules and procedures as it may deem necessary to prevent (1) the disclosure, outside the select committee, of any information relating to the activities of the Central Intelligence Agency or any other department or agency of the Federal Government engaged in intelligence activities, obtained by the select committee during the course of its study and investigation, not authorized by the select committee to be disclosed; and (2) the disclosure, outside the select committee, of any information which would adversely affect the intelligence activities of the Central Intelligence Agency in foreign countries or the intelligence activities in foreign countries of any other department or agency of the Federal Government.

(b) No employee of the select committee or any person engaged by contract or otherwise to perform services for the select committee shall be given access to any classified information by the select committee unless such employee or person has received an appropriate security clearance as determined by the select committee. The type of security clearance to be required in the case of any such employee or person shall, within the determination of the select committee, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by the select committee.

(c) As a condition for employment as described in section 5 of this resolution, each person shall agree not to accept any honorarium, royalty, or other payment for a speaking engagement, magazine article, book, or other endeavor connected with the investigation and study undertaken by this committee.

Sec. 7. The expenses of the select committee under this resolution shall not exceed \$750,000 of which amount not to exceed \$100,000 shall be available for the procurement of the services of individual consultants or organizations thereof. Such expenses shall be paid from the contingent fund of the House upon vouchers signed by the chairman of the select committee and approved by the Speaker.

Sec. 8. The select committee is authorized and directed to report to the House with respect to the matters covered by this resolution as soon as practicable but not later than January 3, 1976.

Sec. 9. The authority granted herein shall expire three months after the filing of the report with the House of Representatives.

Sec. 10. The Select Committee established by H. Res. 138 is abolished immediately upon the adoption of this resolution. Unexpended funds authorized for the use of the Select Committee under H. Res. 138 and all papers, documents, and other materials generated by the select committee shall be transferred immediately upon the adoption of this resolution to the select committee created by this resolution.

Mr. BOLLING (during the reading). Mr. Chairman, I ask that House Resolution 591 be considered as read, printed in the record and open to amendment at any point.

The CHAIRMAN. Is there objection to the gentleman from Missouri?

There was no objection.

AMENDMENTS OFFERED BY MR. LATTA

Mr. LATTA. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. Latta: On page 2: On line 9, strike all after the word "of", through line 10, and insert in lieu thereof: "the CIA";

On line 11, strike all after the word "of", through line 13, and insert in lieu thereof: "the CIA";

On line 15, strike all after the word "of", and insert in lieu thereof: "the CIA";

On line 17, strike all after the word "of", and insert in lieu thereof: "the CIA";

On line 19, strike all after the word "by", through line 20, and insert in lieu thereof: "the CIA";

On line 25, strike all the language and insert in lieu thereof: "the CIA"; and

On page 3, strike lines 1, 2, 3, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and on page 4, lines 1 and 2.

Mr. Latta (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the record.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. Latta. Mr. Chairman, I ask unanimous consent that the amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

(Mr. Latta asked and was given permission to revise and extend his remarks.)

Mr. Latta. Mr. Chairman, these amendments would restrict this inquiry to the CIA alone. Mr. Chairman, I think that irreparable damage has been done to the CIA, which is essential to the se-

curity of this country. I know that the CIA has done many things that are in violation of law which many Members of this Congress disagree with.

Let me just direct the attention of the Members to the scope of the proposed resolution, and ask them whether or not they feel that a committee of this Congress should be getting into these areas that have not even been mentioned in the press:

The National Security Council. Have the Members heard or read of anything about the National Security Council that would cause this Congress to investigate it?

The U.S. Intelligence Board. Have the Members heard or read anything about the U.S. Intelligence Board—I just overheard a Member say, "I never even heard of it"—which would necessitate an inquiry into their intelligence activities by the Congress?

The President's Foreign Intelligence Advisory Board. I might say that this Congress has unwisely gotten into certain foreign policy matters in the last several months, perhaps to our regret, and I cannot for the life of me understand why we should be investigating the intelligence activities of the President's Foreign Intelligence Advisory Board.

The Defense Intelligence Agency. Do we really want to get into investigating the intelligence agency in the defense establishment? Is this what this resolution is all about? We have been hearing about the CIA. Perhaps we do need, as the gentleman from Illinois attempted to provide a Joint Committee on Intelligence, but we are not now proposing a Joint Committee on Intelligence.

The intelligence components of the Departments of the Army, Navy, and Air Force. Do we want to do that?

The National Security Agency. Have the Members heard anything that would lead them to vote to investigate the National Security Agency? Yet it is in this resolution.

The Intelligence and Research Bureau of the Department of State. Do we want to get into the Department of State intelligence activities?

Oh, yes, recently we have seen where the Federal Bureau of Investigation had gotten into print and, just as I mentioned when this matter was before the Committee on Rules the other day, all we have to do to run scared is to have something come out in print between the time it came out in the Committee on Rules and the time it got down on the floor and, sure enough, we had something in print about the Federal Bureau of Investigation.

So now we want to investigate the Federal Bureau of Investigation. I think not.

The Department of the Treasury and the Department of Justice intelligence matters.

And here is one: On page 3, line 21, item No. 11, the Energy Research and Development Administration intelligence activities. Do we want to get into that matter?

And if they have not covered everything, they do it in item 12, "any other

instrumentalities of the U.S. Government engaged in or otherwise responsible for intelligence operations in the United States and abroad." Could one have a broader blanket of investigative authority than is contained in that item? Absolutely not.

I am certain that every Member of this House realizes that intelligence activities properly carried on are absolutely necessary to the security of this country.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. LATTA was allowed to proceed for 2 additional minutes.)

Mr. LATTA. Mr. Chairman, I do not believe we want to start investigating agencies of our Government involved in intelligence, that I have not even gotten into print. As a matter of fact, I was somewhat surprised the other day to hear the Members say that what we should do on intelligence matters is to let the sunshine in. If we start doing that, opening up the intelligence activities of this country to the world, we might just as well see our intelligence establishment go down the drain. I do not believe we want to make this investigation that broad.

So I urge the Members, regardless of partisanship—and I hope on this matter we are not going to divide on partisan lines—to ask themselves whether or not this inquiry as set forth here is in the best interests of your country and mine. And I believe, as truly as I stand before the Members now, that to get into all of these intelligence agencies that I have mentioned, and include item No. 12 that makes it all-inclusive, is not in the best interest of our country—and that is your country as well as mine.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. LATTA. I yield to the gentleman.

Mr. MARTIN. I thank the gentleman for yielding.

I ask the gentleman whether it would be his understanding, referring to page 3, line 23, subsection (12), which says, "any other instrumentalities of the U.S. Government engaged in or otherwise responsible for intelligence operations in the United States and abroad," whether that might, for example, include such diverse groups as the Democratic study group, which has staff members who are employed from the salary accounts of Members of the House of Representatives, and which does have some responsibilities for investigating?

The CHAIRMAN. The time of the gentleman from Ohio (Mr. LATTA) has expired.

(By unanimous consent, Mr. LATTA was allowed to proceed for 1 additional minute.)

Mr. LATTA. Mr. Chairman, in all truthfulness, as I read the item (12) on page 3, it says: "any other instrumentalities of the U.S. Government \* \* \*" and I would not think that the Democratic study group would be classified as an instrumentality of the U.S. Government.

Mr. MARTIN. Mr. Chairman, I thank the gentleman.

—Mr. McCLORY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in rising on this subject, I want first of all to indicate I hope this will not be a partisan decision which we reach, but a bipartisan one. As a matter of fact, one of the principles we have adhered to with respect to the selection of staff for our select committee has been to have a bipartisan professional staff for this committee. Whatever becomes of this select committee, I hope that principle is adhered to.

The problems with the select committee have not been because of the scope of the mandate. The problems have been quite separate and apart from that. As a matter of fact, it seems to me that the most important part of the work that we can do, the most important role that we can fulfill is perhaps not to duplicate what the Rockefeller Commission has done or what the Church committee is doing with regard to the CIA.

As a matter of fact, it would make more logic, as far as I am concerned, to eliminate our mandate with regard to CIA and include all the rest of these intelligence agencies, because what we have here is a widespread conglomerate, a confused and uncoordinated intelligence setup or intelligence community, which certainly seems to be illogical and which does not seem to be complying with the congressional mandates and the law now written.

Theoretically, all of these agencies are supposed to be funneled in through the CIA and the U.S. Intelligence Board and then on to the President. But what has occurred according to the reference material from the Legislative Reference Service, is that the Central Intelligence Agency is circumvented in a number of instances by a number of intelligence agencies. As presently existing we have duplications, we have waste, we have expense, and we have inefficiency. That is really unfortunate, as far as the intelligence community is concerned.

Mr. Chairman, the authority of this committee is not to go into details, not to go into secret information with regard to individual activities or projects, but it is moreover, on the other hand, to go into the question of the cost of intelligence activities and other aspects of the entire intelligence community.

Under paragraph 2 of the authority it says: "To inquire into the procedures and effectiveness of coordination among and between the various intelligence components of the U.S. Government."

In other words, the whole impact of this mandate of the select committee's authority is to cover the entire gamut of our intelligence agencies and to try to bring some order out of this complex situation, and to try to bring some logic and understanding into this area of legitimate congressional concern.

It is certainly my hope that this amendment will be defeated.

Mr. Chairman, I might say further that we should determine whether or not the law is being followed. Of course, these agencies are operating in accordance with the law which we have provided, but I think there may be some question about that. That is the kind of

inquiry we should make. And perhaps we should make some recommendations on how we can oversee the intelligence agencies, bring them together, and coordinate them and see if we can do a better job.

Our purpose is not to sensationalize. I do not think that is the purpose of this committee, and I hope that will not be the result of the reconstituting of this committee. I hope we will do the kind of responsible job which needs to be done in order that we can conduct the kind of oversight we need. We must come up with the recommendations that can improve the CIA and improve all the intelligence agencies so that we can have them do what we intended for them to do. They should not be overlapping, they should not be getting in each other's way, they should not be refusing to communicate with each other when they should be communicating, and they should not be invading individual rights in violation of the legal and constitutional rights of our American citizens. The intelligence agencies should not be doing these things; they should be performing in the way the Congress intended under the legislation we enacted.

(Mr. McCLORY asked and was given permission to revise and extend his remarks.)

Mr. LATTI. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Ohio.

Mr. LATTI. Mr. Chairman, I thank the gentleman for yielding.

Let me get clear in my mind what the gentleman is saying.

Is the gentleman saying that this resolution does not provide for an inquiry into the activities of these various intelligence groups and that this should be confined to a matter of overlapping jurisdiction and costs, et cetera? Is that what the gentleman is saying?

Mr. McCLORY. I am saying this, that there is specific authority to establish rules to prevent the disclosure of secret and confidential information which is received by the committee, and I hope appropriate rules will be adopted and will be adhered to. It should be.

Mr. LATTI. The gentleman from Illinois (Mr. McCLORY) did not answer my question. I am asking him for the second time whether or not he believes that this resolution, House Resolution 591, would not permit this committee to get into an inquiry of the kind of activities these various intelligence groups are engaging in. Is that what the gentleman is saying?

Mr. McCLORY. Let me say in response to that that in my previous discussions with the former chairman or the existing chairman of the select committee, we agreed that insofar as names of individuals, insofar as individual involvement, and individual projects were concerned that might jeopardize any individual rights of any persons involved in the intelligence activities, that those rights and prerogatives would be protected.

The CHAIRMAN. The time of the gentleman from Illinois (Mr. McCLORY) has expired.

(On request of Mr. LATTI and by unanimous consent, Mr. McCLORY was allowed to proceed for 1 additional minute.)

Mr. LATTI. Mr. Chairman, if the gentleman will yield further, I would like to call his attention to the language on page 3, line 4, section 3, which says:

In carrying out the purposes of this resolution, the select committee is authorized to inquire into the activities of the following

Then it recites the intelligence groups. That is just as plain as the English language can be written.

Mr. McCLORY. Let me say to the gentleman that in section 2 we find an outline of the work that we are directed to perform. That is the mandate of the committee, and section 3 gives the authority. We are authorized or permitted to inquire into the activities of these agencies, but we do not have to. It is permissive. We are authorized to do it, and it does have wide scope, but it is an overall limit, not a requirement, as to what we can do.

Mr. Chairman, I hope that the amendment will be defeated.

Mr. BOLLING. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the amendment, and I hope we can vote on this matter very quickly.

The gentleman from Illinois (Mr. McCLORY) has made the points necessary, and I think he has made them very well.

The only thing that I would like to emphasize is that what we want from this committee is more than an investigation. We want from this committee recommendations for the improvement of the whole process of intelligence-gathering. We want to avoid having in the future the kind of situation that we have had in the past, where it would seem that the intelligence-gathering agencies, more than one, in fact, have gone beyond the mandate that I believe the Congress expected them to pursue.

Unless they have the opportunity in the select committee to deal with all the different aspects of intelligence, I cannot see how they could possibly pretend to make a recommendation on improvements to the Congress.

Mr. Chairman, it seems to me, therefore, very important that the select committee have this broad writ, and I therefore urge that the amendment be voted down.

Mr. MARTIN. Mr. Chairman, will the gentleman yield for a question?

Mr. BOLLING. I will be glad to yield to the gentleman from North Carolina.

Mr. MARTIN. I would like to pursue the meaning of the words at the bottom of page 3, lines 23 and 24.

Does this language include such agencies as the Bureau of the Census, which does gather, collect, and analyze information about U.S. citizens? And would it include the Departments of Housing and Urban Development and Health, Education, and Welfare, which also keep records on private citizens, besides any other U.S. agency as to which the standing committees already have oversight responsibility?

Mr. BOLLING. I think it would be easy

to speak of those and argue over what the intelligence activity is, but I doubt that one would normally expect routine statistical gathering for purposes other than policymaking would come under the heading of intelligence activities.

I think that one would have to expect that the committee, both sides of the committee, the whole committee and its members, would be reasonable as to what was the intelligence activity. I think we know rather well what we should require.

I do not think we are trying to deal with the Bureau of the Census or a variety of other entities.

It happened a long time ago that I was a chairman of a seemingly unimportant subcommittee of the Joint Economic Committee, the Subcommittee on Statistics, which dealt with most of these agencies. It would never occur to me to include them as part of the investigation and recommendation that would be made by this resolution. I think we have to expect that the members of the committee would be reasonable.

Mr. MARTIN. Mr. Chairman, if the gentleman will yield further, I would say that that is a helpful reply because it might very well occur to the members of the committee to pursue some of these agencies. The Department of HEW collects and analyzes data on specific individuals, not so much for policy purposes, but for the day-to-day operation of decisionmaking of grants, and so forth. I believe that the gentleman from Missouri is saying that it is not his intention or expectation that the committee would delve into these kinds of areas?

Mr. BOLLING. I would not expect it to be involved in anything than what is commonly associated with intelligence gathering.

Mr. MARTIN. And if the purpose of subsection 3(12) is a catchall, it is not intended to catch anything?

Mr. BOLLING. The gentleman is correct, it is merely to give them broad enough a base so they would not be limited in their investigation.

Mr. MARTIN. I thank the gentleman.

Mr. LATTI. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Ohio.

Mr. LATTI. Mr. Chairman, then my question is that this is the same resolution with very few changes, that appear on page 6, that was previously brought before this House, in addition to striking the word "ten", and inserting the word "thirteen"?

Mr. BOLLING. That is of course correct.

Mr. LATTI. That is correct. The committee that will be dissolved by the passage of this resolution was in fact investigating the activities of the CIA. Is the gentleman from Missouri telling the House that if we pass this resolution they are not going to investigate the activities of the CIA and these other intelligence agencies?

Mr. BOLLING. I did not intend to do that.

Mr. LATTI. I know the gentleman did not.

Mr. BOLLING. I have no intention of suggesting that they are not going to

investigate any of the enumerated agencies, and perhaps some others that are not enumerated.

Mr. LATTI. What did the gentleman mean by his statement that they had gotten into too many areas prior to this time, and had gotten into trouble? What does the gentleman mean by that?

Mr. BOLLING. I do not remember saying that. I do not remember using words to that effect.

Mr. LATTI. Then let us get back to the language in this resolution.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. LATTI, and by unanimous consent, Mr. BOLLING was allowed to proceed for 1 additional minute.)

Mr. LATTI. On page 3, would the gentleman from Missouri agree there is an amendment to strike the inquiry into the activities of these agencies?

Mr. BOLLING. There must be some misunderstanding between the gentleman and me. I do not think I said anything that would indicate that I wanted to alter that aspect of it.

What I did try to say was that I hoped we were going to get from this committee some recommendations, and those recommendations could only be made if they had the overall authority.

Mr. LATTI. And this would include activities of those agencies?

Mr. BOLLING. They are part of the overall picture.

Mr. LATTI. But this is still the language in the resolution that created the existing committee which is in trouble now.

Mr. BOLLING. They may have to look into the activities of another organization's activities.

Mr. LATTI. I thank the gentleman for clarifying that point, because I think there was a misunderstanding among the Members on this floor that we were not giving the same broad authority in this resolution as we had given them prior to this, and they are in fact given the same authority.

Mr. BOLLING. I would certainly not have intentionally misled the Members.

Mr. Chairman, I would ask for a vote on the amendment.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. MARTIN, and by unanimous consent, Mr. BOLLING was allowed to proceed for 1 additional minute.)

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from North Carolina.

Mr. MARTIN. Mr. Chairman, further pursuing the point that was raised earlier, could the gentleman clarify whether it would be his intention and expectation that the committee could look into such agencies as the postal inspectors, Bureau of Customs, the Border Patrol, and so forth?

Mr. BOLLING. I do not think so, unless they led into one of the agencies that gathers intelligence, such as for postal purposes, the Postal Service being used for mail covers, and such, as was done in the past. I can

conceive of an examination of the Postal Service activities where they are being used by one of these intelligence gathering agencies to gather intelligence. But I cannot conceive of their just investigating the Postal Service, the Inspection Service, just on its own in terms of its responsibilities within the Postal Service.

Mr. MARTIN. I thank the gentleman.

Mr. BOLLING. Mr. Chairman, I ask for a vote on the amendments.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Ohio (Mr. LATTI).

The question was taken and the Speaker announced that the yeas appeared to have it.

Mr. LATTI. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendments were rejected.

AMENDMENT OFFERED BY MR. MOSS

Mr. MOSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Moss: On page 1, line 7 and 8, strike out "to be appointed by the Speaker" and insert in lieu thereof: ", including those members of the Select Committee established by House Resolution 138 who choose to be members of the select committee established by this resolution, with additional members to be appointed by the Speaker".

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. Moss).

(Mr. MOSS asked and was given permission to revise and extend his remarks.)

Mr. MOSS. Mr. Chairman, I offer this amendment from a sense of deep personal conviction that the means being employed here today are inappropriate to the occasion. Actually what we are doing to attack one problem is to dissolve a committee and create a committee with the precise same jurisdiction and three additional members. That may be a very wise thing to do, but somehow it offends my sense of justice. I would not want to be deprived of membership on any committee of this House by such a circuitous method. I would far prefer, if I were alleged to have transgressed the Rules of this House, to be brought before the bar of this House and answer to the Members of this House. I think that is the appropriate way for us to deal with matters of this type.

In my judgment, when I reach the point where I have a matter of conscience, I am going to exercise my conscience, rules or no rules, make no mistake. I think that is a right that is, to paraphrase Burke, a matter on which I am answerable only to the Almighty God and not to any Member of this House.

I think that we have a serious crisis in this House as an institution. We have a crisis of confidence, a crisis of credibility, and I do not think these kinds of actions do anything to restore public confidence in the credibility of this House as a responsible and responsive institution of Government.

I think it is in the interest of the public that this committee continue with its members originally selected who desire

to continue to serve, and let the committee tackle the problem of resolving its own crisis. There are many ways it can do it. The committee does have the authority to act against a recalcitrant chairman, if that is the problem.

Or it has the authority where a Member transgresses the rules of the House to act against the Member.

I think this should have been handled in a different manner. I know I will be accused undoubtedly by my good friend/ the gentleman from Missouri, of coming into this at a very late hour and perhaps I did. But I have no less responsibility to do what I feel is appropriate and to do what I feel is right because I entered it at a late hour. I still have to cast a vote and I still have to render a judgment and I do not want to have to select between the Members who serve on this committee. I do not think there is one for whom I have not great respect and I do not think there is one that I cannot call a friend. I do not want to be put in the position of rendering a judgment through the back door. That is what we are doing here.

It will be alleged that we are now or will be casting a reflection upon the Speaker by the mere action of offering this amendment. I want to say there is not any intent on the part of this Member nor should any conclusion inferring that be drawn from the action of this Member in offering this amendment.

It is very simple to me and I reaffirm what I said as I opened my remarks. This is a simple matter of my conscience telling me what I feel is a just, a fair, a decent way of dealing with my colleagues. It is the way I would want to be dealt with. I would not want to be taken off and deprived of any of my committee assignments through this method and I do not want this as a precedent for depriving Members of their rights.

The CHAIRMAN. The time of the gentleman from California has expired.

(On request of Mr. ECKHARDT, and by unanimous consent, Mr. Moss was allowed to proceed for 2 additional minutes.)

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, I compliment the gentleman in the well for devising this solution. I think it is a cautious solution and it is one which both breaks the deadlock and avoids the condemnation of either side on the Committee.

It surprises me that we seem to have given up that means we have always used to break deadlocks here. When we had deadlocks and had difficulties with the old Rules Committee we enlarged the Rules Committee. We did not destroy it or abolish it or create a new committee. When there were problems with the Ways and Means Committee and it was necessary to get enough Members to break it into subcommittees we enlarged that committee. We did not abolish the old committee.

Why should we not use that tried and tested means of breaking deadlocks, simple enlargement?

Mr. MOSS. The gentleman is correct. In fact the great committee reporting this resolution has gone through several redoinings where it has had its membership enlarged rather than having the committee abolished and reconstituted with perhaps different membership. I recall when we increased the membership on the Rules Committee to achieve what was recognized by everybody in the House. I believe in fact my very good friend, the gentleman from California (Mr. SISK), was one of those who was put on at that time, when the Rules Committee was enlarged to break deadlocks which the House felt, the majority of the Members of the House felt were impeding the work of the House.

This is a very bad precedent.

Mr. ECKHARDT. If the gentleman will yield further, even such a bold President as President Roosevelt did not propose the abolition of the Supreme Court and replacement by a "Paramount Court." He tried to provide for enlargement.

Mr. MOSS. It was just a case of enlargement. And this is one instance where a little expansion, a little growth could well lead to the development of the solution which will not deprive Members of their rights.

Mr. YOUNG of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. I tried to rise early, because I wanted to see if we could keep this amendment on target and keep the discussion on target and not let it become a referendum on any particular Member's conduct or character.

I have participated in the debate in the Committee on Rules on this measure and through a period of almost two months there were constant meetings with the Speaker and with the present Select Committee on Intelligence and there was a deadlock there that just could not be resolved.

I would say that everybody that was involved in it tried to offer a solution and simply could not resolve the difference.

Now, I happen to respect the difference. I think there are going to be many issues in this House and in the conduct of the affairs of this Nation where good men and honest men will differ on the basis of principles which they hold dear to their own hearts. I probably will not agree with one side or the other, maybe with neither side; but I do think that in spite of the fact there are differences, we have got to as a democratic institution have the authority to find points of reconciliation and if the principles are so hard and fast in any given selection of persons that they cannot be resolved, then I would think it is in order to dissolve the committee and reconstitute it among people who might have the same principles, but who may just be able to find ways of reconciling the points of disagreement.

Now, interestingly enough, the Committee on Rules itself operates at the pleasure of the Speaker. In fact, in the Democratic caucus I supported the right of the Speaker to name members of the

Committee on Rules each term, simply because I felt that that would give a measure of freedom of conscience, but so long as I was locked into the Committee on Rules and had been put on the Committee on Rules by the Speaker and the Democratic caucus, there was a kind of undue obligation that I would feel to serve those interests if they could not put me off. I voted for that resolution in the Democratic caucus, because I wanted to be free to disagree with the leadership, with the Speaker, whenever I wanted to, and knowing that I was not taking advantage of any authority vested in me by the caucus of the Speaker or by the House, because they could remove me. I think the right of the leadership to remove anybody or any group of people in the interest of getting the job done is something that I have got to respect.

Now, more than I want to protect the Members of this committee, I want to have a committee investigating the intelligence-gathering apparatus of this Nation and given the choice of going through any difficulties of resolving tensions and proceeding ahead with the investigation, I am afraid that the interest of this Nation and the interest of the House have to rise above the interest of any particular person or any group of persons. It is on that basis that I oppose this amendment and that I hope we can vote it down.

Mr. DRINAN. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Georgia. I yield to the gentleman from Massachusetts.

Mr. DRINAN. Mr. Chairman, I thank the gentleman for his comments.

I wonder if the same objective could be achieved by enlarging the committee even further. I do not know of any example, at least in the recent history of the House of Representatives, where a committee has been dissolved and then simultaneously reconstituted.

I worked for some 4 years to dissolve a particular Committee on Internal Security and it was a long, hard fight. I am wondering whether or not to achieve the objective the gentleman mentioned that the committee could be enlarged, as has been suggested by our colleagues here on the Committee on Ways and Means, Means, the Committee on Rules and similar examples. I wonder if the Committee on Rules had thought of that particular possibility?

Mr. YOUNG of Georgia. Mr. Chairman, that is, in fact, what we did. We enlarged the committee to 13 members. We have not in any way stipulated who those 13 members would be or called for the abolition or the ignoring of the existence of the committee.

Mr. DRINAN. If the gentleman will yield further, I think the key question that keeps coming back to me and to other Members is that I recall that the gentleman from Connecticut (Mr. GIAIMO) asked, "Why is it necessary, to dissolve the existing committee? Why is not enlargement enough in and of itself?"

Mr. YOUNG of Georgia. Mr. Chairman, let me say why I think—and I am not speaking for anyone but myself—I think that in dealing with all kinds of

sensitive material that this committee has got to deal with, even before anybody has been appointed, especially, I think, the chairman of the present committee, I think that there should have been some discussion as to the nature of this investigation, the kind of material that it would be dealing with. I would think that before people were even appointed to this committee, there should have been some understanding.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

(On request of Mr. GIAIMO and by unanimous consent Mr. YOUNG of Georgia was allowed to proceed for 1 additional minute.)

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Georgia. I yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Chairman, as a member of the original task force on creating a select committee, I met with many Members, including the present chairman of this committee and almost all of the Members who are presently members of the existing committee. We had very thorough talks of what the scope of the investigation would be of looking into alleged improprieties by members of the intelligence community. There were those discussions. It is quite clear—it is quite clear what the scope and purpose was to be before any Members were assigned to the committee.

Mr. YOUNG of Georgia. Then I stand corrected.

Mr. GIAIMO. And, the question of the suitability of any member on the present committee never arose—never arose until the very instant that there arose a conflict, that there arose a conflict with the present chairman of this committee.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

(On request of Mr. DELLUMS and by unanimous consent Mr. YOUNG of Georgia was allowed to proceed for 2 additional minutes.)

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Georgia. I yield to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, I thank the gentleman from Georgia, my distinguished colleague, and I reluctantly rise to challenge the basis of my distinguished colleague's arguments, but I must.

Let me first see if I can understand exactly what the gentleman is saying. First, the gentleman has suggested that he would not like to see a vote that would result in a referendum of any one or several persons who are presently members of the special select committee, if so I appreciate that thought by the gentleman.

The second argument that the gentleman proposes is that the integrity of the questions; this is, the ability of this House to investigate and come to the floor of the Congress with solutions in dealing with the intelligence community, outweighs any particular, single personality or individual. Is that correct?

Mr. YOUNG of Georgia. I think so.

Mr. DELLUMS. I would simply suggest to the gentleman that I would agree that the integrity of the question; that is, that we must investigate, evaluate abuses, wrongdoings, violations of constitution or charter, and come back with recommendations, but I would simply suggest to the gentleman that in attempting to address the integrity of the question, we should not in any way thwart the legitimate rights of any one individual.

Let me move with even greater candor. It is clear throughout this House, on both sides of the aisle, that the gentleman in controversy at this moment is the gentleman from Massachusetts (Mr. HARRINGTON), our distinguished colleague. All I am suggesting to the gentleman is that in his pursuit of protecting the integrity of the investigation, we should not in any way thwart the legitimate rights of any distinguished Member of this House to be challenged on legitimate grounds rather than surreptitiously being discredited by virtue of the fact that we could remove that person from this committee without an appropriate hearing on the floor of the Congress. That is my argument. On 99 percent of the issues, the gentleman from Georgia and I are in solid agreement on those, but I am diametrically opposed to his position here.

Mr. MITCHELL of Maryland. Mr. Chairman, I move to strike the requisite number of words.

(Mr. MITCHELL of Maryland asked and was given permission to revise and extend his remarks.)

Mr. MITCHELL of Maryland. Mr. Chairman, I take to the well to support the amendment. Since being in the Congress, I have seen a committee of the Congress perform well, this committee was accused of leaks to the press, committee members who were accused of having prejudged the subject, committee members were accused of having a bias one way or another over the subject matter that it was to investigate. I have seen that committee vilified, ridiculed, scorned, laughed at, and insulted by Members of this House. The committee that I am talking about, the committee of which I speak, was the House Judiciary Committee and its inquiry into impeachment. However, please remember that the committee performed in such a manner as to bring credit to every single Member of this House. That committee won the respect for this Congress from the people because it saw a job that had to be done and did it.

Let me go one step further. I think my colleague from California (Mr. DELLUMS) is absolutely right. The issue is one Congressman MICHAEL HARRINGTON.

And let me say to you, MIKE, I pray to God that I will have the courage to do what you did, to move toward the highest level of your conscience and therefore benefit all of us.

But apart from that, let me try to speak to the merits of this particular amendment. What this amendment does is to prevent this House from slandering, smearing, impugning the motives of every single Member who serves on that present committee.

Unless we adopt the amendment of-fered by the gentleman from California, this House will have, in effect, tried every single member of the committee and without any sort of real investigation will have found them guilty of not being able to do the job mandated to be done.

If we do that, if we follow that procedure, all that we are doing is resurrecting the days of the McCarthy era when it was possible to smear and impugn and lie on people, distort their motives and discredit them so thoroughly that they became almost nonentities in a system.

I entreat the Members—I entreat you—to protect the rights and integrity of every Member who presently serves on that committee. I urge the Members, do not to destroy some of your colleagues in this senseless, needless way. I urge this House to overwhelmingly support the amendment.

Mr. TSONGAS. Mr. Chairman, will the gentleman yield?

Mr. MITCHELL of Maryland. I yield to the gentleman.

Mr. TSONGAS. I thank the gentleman for yielding. I would like to commend the gentleman for his comments. I think what he has done is to point out that the larger issue here is not the investigation of the CIA—the Church committee is doing that, and I think there is real question as to what we can contribute—the larger question is the behavior of a Member and his courage in the situation referred to where none of us know what we would have done in that situation.

Mr. Chairman, I would like to associate myself with the gentleman's remarks.

Mr. STEIGER of Arizona. Mr. Chairman, I move to strike the requisite number of words.

(Mr. STEIGER of Arizona asked and was given permission to revise and extend his remarks.)

Mr. STEIGER of Arizona. Mr. Chairman, I think the previous speaker has articulately and accurately nailed the issue down in this amendment. I asked for recognition to strike the requisite number of words, which I guess was really a subterfuge because I am opposed, strongly opposed, to the amendment for the very reasons that the gentleman articulated, in that this is indeed a referendum of behavior.

I am very, very sorry that the amendment was brought—I mean that very sincerely—because I feel the House is in a position in which the CIA and the investigation is secondary. What the author of the amendment has asked us to do very unfairly is to sanction or disapprove the actions of Members, about most of which none of us have any specific idea except from the publicity.

So I share the concern of my friend from Baltimore, the gentleman from Maryland (Mr. MITCHELL), that we would slander a Member out of hand based on minimal information.

On the other hand, I will tell my friend that to ask us to sanction the behavior that we know of and that we have heard of is again to place the House in a very unfair position, because this

indeed is not the place to hear or try this matter.

Mr. MITCHELL of Maryland. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from Maryland.

Mr. MITCHELL of Maryland. Mr. Chairman, I assume the gentleman has made reference to the gentleman from Massachusetts (Mr. HARRINGTON).

As I sat throughout these hearings, one thing has been made manifestly clear to me—whatever he did, whenever he did it, it was not within the purview of the proceedings of the committee. He has the right to do as he sees fit with reference to his conscience and to a higher authority.

Above and beyond that, the House has a remedy I am not at all sure that the committee which will hear the Harrington issue is the proper remedy, but it is offered as a remedy.

Mr. STEIGER of Arizona. Mr. Chairman, my friend has stated his point well, but I will just tell my friend, the gentleman from Maryland, that I just do not agree it is that simple a matter.

If I may, I would like to explain to my friend what I think is the problem with this amendment. The gentleman from Massachusetts (Mr. HARRINGTON) is indeed the problem. The gentleman from Massachusetts (Mr. HARRINGTON) is indeed the issue in the minds of those who are concerned about the amendment.

My friend, the gentleman from Maryland, has stated he believes whatever the gentleman from Massachusetts (Mr. HARRINGTON) has done has no bearing on the committee. In the minds of those Members who are not on the committee and who have not been associated with the conflict therein, he has a great deal to do with it.

By this amendment this House is being asked to sanction the membership of the committee in advance and thereby sanction indeed the same kind of blanket amnesty, if you will, that so offended people in the case of Mr. Nixon. That is the view of this Member or that is at least the position this Member feels he is being placed in.

I will tell my friend that I am not alone in this position. Therefore, I will tell my friend further that I think the amendment is patently unfair to the House and to the gentleman from Massachusetts (Mr. HARRINGTON). That is my first point. I think it is patently unfair, because whatever is done here is going to be seen either as an approval or a disapproval of the gentleman from Massachusetts (Mr. HARRINGTON). I will tell my friend I think that is unreasonable.

By the same token, the gentleman cannot ask this House and its membership on a bipartisan basis to make a judgment in this matter with no more information than we have now.

Mr. MITCHELL of Maryland. Mr. Chairman, will the gentleman yield just briefly? The gentleman has been very patient with me.

Mr. STEIGER of Arizona. Certainly, I yield to the gentleman from Maryland.

Mr. MITCHELL of Maryland. Mr. Chairman, I just wish to point out to the gentleman that the mere fact that he

used the words "blanket amnesty," and links those words to amnesty in Mr. Nixon's case, really buttresses my argument. What the gentleman is saying in effect is that somebody has already tried every member of the committee prior to any sort of investigation or any sort of official proceeding. That is why I support this amendment, because it will deny that kind of prejudgment by Members.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield to me for a question?

Mr. STEIGER of Arizona. I yield to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, let me ask a hypothetical question.

If one of the constituents of the distinguished gentleman from Arizona alleged crime on the part of the distinguished gentleman and that allegation appeared in the local newspaper, would the gentleman think it fair if the House of Representatives voted to remove the gentleman from the floor of Congress, precluding the gentleman from carrying out his duties as a Member of Congress, without due process?

Will the gentleman answer that question?

Mr. STEIGER of Arizona. Mr. Chairman, if the gentleman is asking: Would the allegation preclude me from participation in some sort of activity of the House? I will say again I do not think the House ought to be placed in the position of making that judgment regardless of how meritorious it might be or regardless of the lack of merit.

I will simply tell the gentleman that I do not want to be in the position of prejudging the so-called Harrington case. I am being put in this position by this amendment, and that, I will tell my friend, is what I think is patently unfair in the amendment presented by the author of this amendment.

The CHAIRMAN. The time of the gentleman from Arizona (Mr. STEIGER) has expired.

(By unanimous consent, Mr. STEIGER of Arizona was allowed to proceed for 1 additional minute.)

Mr. STEIGER of Arizona. Mr. Chairman, I have asked for the additional time not to engage in colloquy, but I want to make it very clear to my friend and colleague that, in fact, it is my earnest hope—and I know it is a baseless one—that the author of the amendment will withdraw it for the very reason which I have stated, because the author of the amendment is forcing people into the position of appearing to either sanction or reject the behavior of one Member in a very obtuse fashion. That is a very unfair position for the House to be placed in, and not to recognize that is a kind of sophistry which I do not think is a credit to the House.

Mr. KOCH. Mr. Chairman, will the gentleman yield for a question?

Mr. STEIGER of Arizona. Yes, I yield to the gentleman from New York.

The CHAIRMAN. The time of the gentleman from Arizona (Mr. STEIGER) has expired.

(On request of Mr. KOCH and by unanimous consent, Mr. STEIGER of Ari-

zona was allowed to proceed for 1 additional minute.)

Mr. KOCH. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from New York.

Mr. KOCH. Will the gentleman acknowledge the fact that when the gentleman from Massachusetts (Mr. HARRINGTON) was placed upon the committee, the information that the gentleman now brings up was a matter of public record and the gentleman did not protest at that time? Will the gentleman acknowledge that as a fact?

Mr. STEIGER of Arizona. I will say to my friend, the gentleman from New York, that I was not aware either of the information or, at the time, of any confirmation of it. I will tell the gentleman from New York that the focus of attention and the clear concern of this House and many others, including the gentleman from Massachusetts (Mr. HARRINGTON) himself, has been caused by the treatment he has gotten, which has focused new attention and given new meaning to it.

I am not questioning the legal situation with respect to what my friend, the gentleman from New York, has said. If my friend wishes to accuse me of being less than attentive to my duty at that time, I will stipulate to it.

The point is that what I am saying, and saying as sincerely as I know how, is that this amendment is unfairly asking the House really to render a judgment that it is not prepared to render, and that is very unfair.

The CHAIRMAN. The time of the gentleman from Arizona (Mr. STEIGER) has expired.

(On request of Mr. KOCH and by unanimous consent, Mr. STEIGER of Arizona was allowed to proceed for 1 additional minute.)

Mr. KOCH. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from New York.

Mr. KOCH. Mr. Chairman, the fact is that this House passed on that very question when the Speaker appointed the gentleman from Massachusetts (Mr. HARRINGTON) to that committee with other members.

I want to reiterate, the matter which the gentleman has raised now for the first time was a matter of common knowledge, known to the Speaker, known to the Members of this House, and did not in anyway make a difference at that time and ought not make a difference at this time because there is nothing that the gentleman from Massachusetts (Mr. HARRINGTON) did that violated the law.

Mr. STEIGER of Arizona. Again I would tell my friend, the gentleman from New York (Mr. KOCH), that that is not the way this amendment appears.

The appointment of the committee was a routine matter in which, as we normally do, we respected the Speaker's appointment.

I would simply tell the gentleman that I am sorry that the amendment is here. I am urging my friends and colleagues to vote against it on the basis that they

should not be asked to sanction activity that has been seriously questioned.

Mr. SISK. Mr. Chairman, I move to strike the requisite number of words.

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. SISK. Mr. Chairman, I think it becomes very evident why this is a bad amendment. Merely sitting here and listening to what has been said, unfortunately, seemingly, at least to my mind, distorts what the basic issue is here.

As the individual who introduced the first resolution to abolish this committee back over a month ago now, I want to make it absolutely clear that my intention at that time was to abolish the committee, period, and then, hopefully, to proceed as expeditiously as the Committee on Rules could, since it did have the jurisdiction, to create a permanent oversight committee in connection with our intelligence community.

The reason for the abolishment of the committee was the fact that it had ceased to function; in fact, it had never functioned to any basic extent. After a certain period of time had gone on, a great many discussions had been held, which many of us were familiar with, and it became evident in my mind that there was no way that that particular committee was going to achieve any substantial results.

Let me hasten to say here that I do not indict any member of that committee because some of my very best friends are on that particular committee, men whom I have worked closely with, men whom I know and appreciate. We are not here challenging the integrity, the patriotism or the loyalty of anyone, including the gentleman from Massachusetts (Mr. HARRINGTON) and other Members who from time to time may be mentioned. That is not the issue.

At the time that we held hearings in the Committee on Rules in reference to the matter that we have here before us today, which is a substitute offered by the distinguished gentleman from Missouri (Mr. BOLLING) we had a number of Members appear and testify. The gentleman from Massachusetts (Mr. HARRINGTON) appeared, and testified at considerable length before the committee. The gentleman from California (Mr. DELLUMS) appeared and testified at length.

To the extent that anyone is being questioned or being challenged, I think it very well goes to their judgment. I have no doubt but what every member of that committee did those things which he believed to be right in his own mind.

I recall hearing my friend, the gentleman from Massachusetts (Mr. HARRINGTON) make a statement with reference to what he believed to be his duty in connection with the revealing of matters where an agency of the Government was involved in what would be violations of law. I firmly believe that the gentleman from Massachusetts (Mr. HARRINGTON) was totally sincere in doing what he in his conscience believed to be right. I totally disagree with his judgment in the

matter, because it seems to me—and I am not expressing any thought here that I did not attempt to express at the time the gentleman from Massachusetts was before our committee—that neither the gentleman from Massachusetts nor I, nor anyone else, I believe, has the right to sit as judge and jury in matters of this kind, where we have very strict rules of procedure to go by, as we have in connection with the House of Representatives, as we have in connection with procedures and in connection with intelligence matters, and so on.

Let me say that the testimony offered before the Committee on Rules dealing with this matter caused me some concern because the charge was made very flatly that the fault was primarily that of the Speaker.

Those who made that charge before the Committee on Rules will have an opportunity if they wish to rebut anything that I have said here. But as I understand—and the record is a public record—that he made a mistake, and that he even was warned ahead of time by virtue of the fact that he appointed the distinguished gentleman from Michigan (Mr. NEDZI) to be chairman of this committee.

Let me make it unalterably clear to all my friends on the committee, as well as other Members, that I for one—and I am sure many of you will challenge this as a matter of judgment or disbelieve me—but I again say as individuals we have to use such judgment as we have, that I for one would not have voted to create this committee had we not been assured ahead of time in the testimony that the gentleman from Michigan (Mr. NEDZI) would be the Chairman.

I want to make that unalterably clear. The Members can challenge my judgment, maybe it was wrong.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. SISK was allowed to proceed for 5 additional minutes.)

Mr. SISK. Mr. Chairman, let me go back for a moment to the point at which this issue first was raised in connection with the investigation of the CIA. And I hope my friends on the Republican side will bear with me, because they were not present at that time.

It was raised in a Democratic Caucus in which the gentleman from Massachusetts proposed a resolution to investigate the CIA. After some brief discussion, the gentleman from Michigan (Mr. NEDZI) arose and offered a substitute in the Democratic Caucus, and that resolution, that substitute offered by the gentleman from Michigan (Mr. NEDZI) was overwhelmingly adopted. I do not recall the exact vote. I am not certain it was a recorded vote, but it was substantially adopted, and that was to refer this matter to the Democratic Steering and Policy Committee.

A great many of us hoped—and I, for one, voted for the referral of this matter in line with the gentleman's resolution to refer it—that a great deal of care and concern will be given before we moved on this matter. I think, to some

extent reflected in that, again there was never a question certainly in my mind, and I doubt seriously in the minds of any Democratic Member, of the integrity of the gentleman from Massachusetts (Mr. HARRINGTON) or of his loyalty, or of his patriotism, or anything in connection with it. But there could have very well been questions of matters of lack of confidence in his judgment in handling such a committee. I think there is no point, it seems to me, in pussyfooting around about this situation. To a large extent, as I say, I deplore the fact that this amendment was offered, even though by one of the best friends that I have in this House, and a longtime personal friend and colleague, the gentleman from California (Mr. MOSS). But I think it was unfortunate because to some extent, as the gentleman from Maryland and the gentleman from Arizona in their colloquy pointed out, it really puts every Member in a position, it seems to me, where it could become a trial to these people.

The intent of the Committee on Rules, as the matter developed, is to hopefully be able to proceed to complete as quickly as possible a reasonable investigation of this matter and to bring it to a close with a group of Members which the Speaker of the House shall select.

I do not agree with a good deal of the criticism that I have indicated already was made of the Speaker, but then again that is a matter of judgment. So I would hope and urge my colleagues to vote down this amendment because let me say to them, if I understand the English language at all, and if I understand what Members have been saying to me for the past months because of my involvement in a matter where I introduced the original resolution, and I say this with considerable deliberation, if, in fact, the total membership of this committee were reappointed, it would not operate and, in my opinion, there would very well shortly be another resolution to abolish the committee and in all probability it would be abolished. That is my belief. Wrong it may be, but I would hope and trust that we might proceed expeditiously to vote down this amendment and to proceed with permitting the appointment of what we hope will be a number of new faces on that committee.

I do not and will not interpret that as any reflection upon good personal friends of mine who at present are serving on it—my good friend right here, the gentleman from Illinois, whom I served with on the Committee on Rules. One of the best friends I have in the House is on that committee. I see my good friend, the gentleman from Connecticut (Mr. GIAMMO) with whom I worked very closely in connection with a whole variety of activities. I have a great deal of respect for his integrity and knowledge and understanding.

I see my friend, the gentleman from Ohio (Mr. JAMES V. STANTON) and others—the gentleman from California (Mr. EDWARDS) and so on.

I am not here indicting any one of these men. I am hopeful, though, that the Speaker of the House will see fit to

appoint to that committee men who are objective enough and who have not gotten themselves so involved.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. SISK was allowed to proceed for 2 additional minutes.)

Mr. SISK. Mr. Chairman, I hope the Speaker in his deliberation and in his judgment will appoint to this 13-man committee, assuming it should pass, men who have not become emotionally involved to the extent that their objectivity is in question. We all sometimes get up-tight. I sometimes get up-tight. I have seen that sometimes in statements before our committee. I have great respect for the gentleman from California (Mr. DELLUMS) and the gentleman from Massachusetts (Mr. HARRINGTON) but they made a most impassioned plea which caused me some concern as to how deeply they may have become involved emotionally and how objectively they might be able to look at these problems. But that is beside the point, and if the Speaker sees fit the gentlemen may be reappointed, but I hope we do wind up with 13 men and women—and after all we do not want to bar any women—who will do an outstanding job.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield to me? He mentioned my name.

Mr. SISK. I mentioned a number of names and in view of that fact I am not going to yield. I mentioned the gentleman from Massachusetts and the gentleman from Connecticut and others.

I think my time is up. I am going to conclude because I think I have taken enough time.

I urge the amendment be voted down.

Ms. ABZUG. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment. I have discussed this issue, as some Members know, in the course of this debate on the floor and proposed the essence of this amendment for a very special reason, most of which has become quite clear in the debate here today. It was my thought that the Members of this House recognized that and should not permit ourselves to make judgments about individuals on the committee, that they were duly appointed by the Speaker and they were duly competent men.

I indicated the other day that the men—not women, it is true, and it might have made it more interesting if we had some variety—but in any case they were duly appointed and duly constituted members and all are duly competent persons. A deadlock arose on the committee. Some people say it was because the chairman was unwilling to investigate. Some say it was because others were too vigorous in what they wished to investigate or to expose.

The chairman came in and offered his resignation. The other members of the committee were prepared to act despite that. This House rejected the resignation. And yet the chairman who had been reinstated in that way did not act and there was a deadlock.

It seems to me if one wanted to make

certain there was a vigorous investigation—and we have all agreed that we want that—there had to be some reconstitution of the committee. The normal way would be to enlarge it. The way is not first to put on trial members of the committee, and I say this bearing in mind that but for our not having been appointed we might have been one of the committee now being put on trial.

It seems to me despite what is being said here, what we are being asked to do is to put these members on trial. I believe the main issue is that many people here wish to punish the gentleman from Massachusetts (Mr. HARRINGTON) for what I and others believe to have been an important act of conscience and courage. That is what we are seeking to do. That is what many, in seeking to abolish and reconstitute the committee, are trying to do.

I would say simply this. What has this led to? It has led to the following. On the floor of this House some Member got up the other day and criticized the behavior of the gentleman from California (Mr. DELLUMS), and criticized the behavior of the gentleman from Wisconsin (Mr. KASTEN), and criticized the behavior of the gentleman from Ohio (Mr. JAMES V. STANTON). We are all Members of the Congress of the United States. This is not how we act toward our peers.

Why do we not simply use a resolution of expansion? Why should we condemn this one or that one. We disagree with this one or that one and that is why we want to reconstitute the committee. Well, that is not our right.

Members presently on the committee will continue if they choose and those who are not interested in continuing will not serve and the balance left will be chosen by the Speaker. That is the only fair way to reconstitute a committee which is presently deadlocked. We have no right to make a judgment on any member of this committee other than competence and no one has raised that. Without the other results have occurred. This resolution has even resulted in my colleague, the gentleman from Georgia, saying we did not question whether the persons who were put on this committee are the right ones to deal with the material they have to deal with in this investigation.

Since when do we question the competence, the ability, the conscientiousness, the capability or the devotion or loyalty of any member of a committee? This is not our responsibility. We only have to be certain that the individual is prepared to function.

I say that the resolution as it comes before us is just forcing us to make judgments about the individuals on this committee. It is forcing the Speaker to make judgments about the individuals on this committee when he fails to appoint or reappoint those who are presently on the committee. I say this is inappropriate for us.

We are all in the same identical position as every other member on this select committee. If anyone on this committee thinks as, indeed, the Committee on Armed Services thinks, that someone is acting beyond their responsibilities or

their duties or their oath of office, then they can place this before an appropriate forum to determine it, as was done with the gentleman from Massachusetts (Mr. HARRINGTON).

I think the gentleman from Massachusetts (Mr. HARRINGTON) recognized that we were all being asked to participate in covering up illegal activities and he refused to do that. I disagree that he should be censured for it, but those who think he should be will have another opportunity to say so. HARRINGTON is entitled to a hearing. Do not use this resolution for the purpose of expressing a judgment about this. This would be an unfair way. Everybody is entitled to his or her day in court if, indeed, any wrongdoing has taken place and, indeed, none has. MICHAEL HARRINGTON has shown enormous leadership and courage. The question is simply a matter of how would we feel if we were on that committee.

The CHAIRMAN. The time of the gentlewoman from New York has expired.

Ms. ABZUG. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

Mr. GOODLING. Mr. Chairman, reserving the right to object, I do that after this extension, I will object, simply to bring the Congress together to get the job done. It is my opinion we are doing more damage than good. I cannot stop the damage, but I can limit the amount of time in which the damage is done.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mr. YOUNG of Georgia. Mr. Chairman, will the gentlewoman yield?

Ms. ABZUG. I yield to the gentleman from Georgia.

Mr. YOUNG of Georgia. Mr. Chairman, I agree, everyone should have their day in court, but I hope that we do not constitute this in any way as a day in court for any member of this committee. That is the reason I think the amendment is inappropriate.

Ms. ABZUG. Mr. Chairman, it does just the reverse. It says every member of this committee is competent to serve on it. There is no evidence to the contrary. It simply says the Speaker should appoint an additional number of persons because there is a deadlock and if any person desires to remain on the committee, that person can remain and if that person desires to remove himself, that person can remove himself; but we should not participate in removing any member from this committee. That is the effect of what we are doing when we pass the resolution without it being amended.

It also forces the Speaker to make a judgment as to the members on this committee. There have been many charges and countercharges which are unproven and which an individual has a right to take up in a proper forum. This committee resolution is not the proper forum. Let us not kid ourselves about this resolution. It inherently forces a judgment that none of us should be placed in a position to make. I may not agree with the way the gentleman from Michigan (Mr. NEPZI) has conducted himself, and I do not. I do not agree that his

resignation should have been rejected by this body. I still say even the gentleman from Michigan should make a decision whether he can remain on this committee, just as the gentleman from Massachusetts (Mr. HARRINGTON) has a right to make a decision to remain on the committee. The activities of both these gentlemen were before us at the time they were appointed to their respective positions on this committee. I believe that those who do not recognize that we ourselves are making judgment, even though we are not in control of it, are making a big error. All this amendment says is there should be some change in the committee because it is deadlocked.

This is an important investigation. It must go forward, but the Members of this House, not one of them—not the gentleman from Massachusetts (Mr. HARRINGTON)—should be sacrificed by making believe that we are not being asked to make a judgment on him in this way.

I beg the Members not to do that, because each Member could be in the exact same position and this would be many.

Mr. BOLLING. Mr. Chairman, I seek to see if we could limit time in some reasonable fashion. I would propose by unanimous consent that all debate on this matter conclude in 40 minutes, with the last 5 minutes reserved to the committee.

The CHAIRMAN. What matter is the gentleman referring to?

Mr. BOLLING. On the whole matter of this amendment and all amendments thereto.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. DE LA GARZA. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. PEYSER. Mr. Chairman, I move to strike the last word.

(Mr. PEYSER asked and was given permission to revise and extend his remarks.)

Mr. PEYSER. Mr. Chairman, I was not going to take the floor on this issue. I have listened carefully to debate and have determined to vote against this amendment, but my friend from Arizona, when he took the floor, made his case quite clear in his mind, that a vote against this amendment was a vote against the members on the committee.

I disagree with that because I do not view the issue here as either the committee or its makeup. I think very honestly that if the CIA itself had been trying and aiming to confuse the whole issue here, it could not have introduced a better amendment than the one that was introduced.

This amendment, as far as I am concerned, is simply striking at the Bolling resolution that is going to let the Speaker create a new committee which can, as I understand it, include any of the members of the existing committee. If any Member wants to correct me on that, I will be glad to listen right now. The Speaker, as I understand it, has the right of appointing anybody to that committee, and so I do not view my vote of no, and I do not think anybody ought to

view his or her vote of no, as a vote against the gentleman from Massachusetts, MIKE HARRINGTON, or anybody else. The gentleman from Massachusetts is a friend of mine, and I certainly hope he remains a friend of mine, but my vote has nothing to do with him or any other member of the committee.

Mr. STEIGER of Arizona. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. Mr. Chairman, was the gentleman suggesting that the gentleman from California (Mr. Moss) was the CIA contact man in the House? Was that the gentleman's intent?

Mr. PEYSER. I thank the gentleman for his comments. I was not making that suggestion.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from California.

Mr. MOSS. Mr. Chairman, I think only the gentleman from Arizona can possibly have reached that conclusion.

Mr. PEYSER. I thank both gentlemen for their comments. I seem to have a wonderful ability of getting caught between two people who want to get at each other when I am up here. I would hope that we can act on this measure, only viewing it for what it is, an amendment that is trying to amend the Bolling resolution, that says the members who are on the committee have a right of staying on the committee. I think that if we agree with that, that is fine, but it has nothing to do with saying that someone on the committee did or did not do his job or that he is innocent or guilty of anything.

If the Members vote against the amendment, as I am going to do, they are simply saying that they do not agree with the amendment of the gentleman from California to the Bolling resolution and the action that it calls for is the right way to proceed. I refuse to get caught in this situation that says that I am voting somebody guilty or innocent because I am absolutely not, and I do not believe any of us should be in that position.

Mr. DE LA GARZA. Mr. Chairman, I move to strike the requisite number of words.

Mr. DE LA GARZA. Mr. Chairman and my colleagues, I take this time to try to see if we cannot get back to the issue of the amendment before us, and I do so because I have had an experience, and I am personally aggrieved that so many of my dear friends on this side are speaking now of a matter of right, that an individual has the right to remain on a committee. Those of us who have served on committees on our side are the creatures of the caucus and then generally of this House, and no Member has a right to serve or not to serve on the committee because of his demeanor or whatever one might bring up.

Ask the gentleman from Texas (Mr. POAGE) if he had a right to remain as chairman of the Committee on Agriculture.

Ask the gentleman from Louisiana (Mr. HÉBERT) if he had a right to remain as chairman of the Committee on Armed Services.

Did the Members worry about their integrity, about what it would do to them in their districts, about their reelection? The Members did not.

I say to my dear friends—and I hate to bring this out—there was something called the Hansen committee in the caucus of the Democrats to which I had the honor to have been named by the chairman of the caucus because of no other attribute than that I was next in line. Without informing me, I was taken off of that committee. When I confronted the chairman later, when I had read in the paper that someone else had been appointed, he said, "You would not attend the meetings."

"Mr. Chairman," I said, "I did attend the meetings. There has to be some other reason why I was taken off."

The chairman then informed me that I had been taken off because he had to name a black or a woman, and that was the only reason that I was taken off.

And none of my friends from my Democratic caucus came up to my defense about right or not right. So do not talk to me today about the right of anybody.

My friend smiles. And they smiled at me when I got taken off of this Hansen committee. But I was personally aggrieved. It could have been detrimental to me in my reelection. Fortunately, it was not, because I had no opposition. But none of my friends here worried about that.

So I say to the Members that we should let the House work its will, and no one has a right here, not in the caucus and not in the House.

The whole issue of this committee, the impasse and everything, I am not discussing. I am only discussing this amendment. Does a Member have the inherent right as a Member of this House to name himself as chairman? No, no, no.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. DE LA GARZA. I yield to the gentleman.

Mr. GIAIMO. I thank the gentleman. I admire the gentleman's thoughts about whether or not a Member has an inherent right, and I know there are procedures for removing a Member, and it has been done in the committees with regard to chairmen and others. But is the gentleman suggesting then, that this is, in fact, an antiremoval amendment of the gentleman from Massachusetts (Mr. HARRINGTON), or someone else?

Mr. DE LA GARZA. I have not mentioned any names. I am not saying anyone is being removed. The resolution speaks for itself. I did not get up to discuss the resolution. I got up to try to refute my colleagues up here who keep talking about a right, an inherent right. One of my colleagues said, "You might be in the same spot some day." I have been there. I have been there. And if the Members want to vindicate me, they will vote against this amendment. Now is their chance.

Mr. BOLLING. Mr. Chairman, I would like to see if we can set a limitation on time, and I want to be entirely reasonable about this.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 40 minutes, with 5 minutes at the end reserved for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. ASHBROOK. Mr. Chairman, reserving the right to object, I wonder if we can make the agreement or at least have the understanding that no time will be transferred, and that only those Members who really desire to speak will be recognized?

The CHAIRMAN. The Chair will inform the gentleman that the Chair cannot rule on that.

Mr. ASHBROOK. Mr. Chairman, further reserving the right to object, I will object to any request for transfer of time. I will not, however, object at this moment.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. Members standing at the time the unanimous-consent request was agreed to will be recognized for approximately 1½ minutes each.

#### PARLIAMENTARY INQUIRY

Mr. RYAN. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. RYAN. Mr. Chairman, is it too late to object to the unanimous-consent request?

The CHAIRMAN. The answer is: "Yes."

Mr. RYAN. I thank the Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. RYAN).

Mr. RYAN. Mr. Chairman, I regret the fact that I only have this length of time to speak, because I believe this whole discussion has been jarred so far off from the real issue it is almost useless to take this time.

This is a very simple matter. The activities of the CIA and of other intelligence agencies have come under question in this country and before this House. The question is whether this House should look into this matter or whether we should leave the matter to the Senate alone. The answer to that was given last week, by a vote of this body and the answer was: Yes, we should look into it.

Then the question arises: How shall we do it? Shall we go over this matter with the last committee we had, or shall we begin all over with a new committee?

We have heard for some time in this House arguments about whether we are for or against individual Members. If this continues, any investigation by this House is absolutely useless, because it will become a question of the right fighting the left and the left fighting the

right; it will become a question of whether we should get into the question of prior members conduct or not and whether the activities involved were legal or illegal.

The fact is that we need to have some kind of general consensus by a committee that this House can accept, by a group that starts from scratch and starts anew.

Mr. Chairman, that is the reason I oppose this amendment.

If I were asked to vote for or against the actions taken by the gentleman in question, the gentleman from Massachusetts (Mr. HARRINGTON), I would vote to absolve him of what he did, because I do not think he did anything wrong.

In the same way, I would vote to absolve the gentleman from Michigan (Mr. NEBZI). But that is not the purpose of the resolution. It is to investigate the intelligence community, not convict or vindicate individual Members.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut (Mr. MOFFETT).

(Mr. MOFFETT asked and was given permission to revise and extend his remarks.)

Mr. MOFFETT. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California (Mr. Moss).

I hope that we will keep in mind the public perception of this Congress. We do not really know, none of us knows, what the public wants on this particular issue, but we do know something about the public perception of this situation.

Yes, we might say it does not reflect on any individual Member and perhaps we will be all right back home, but we do know that the public has quite a negative opinion of what we have been doing here in general.

I think all of us are concerned and legitimately concerned about that. We also know that the public has seen on this issue a committee with oversight responsibility that did not do the job that a special committee was created, that there was a fight within that committee, that the chairman who, I believe, had a conflict of interest, was reconfirmed, for lack of a better word, and that now we are in the middle of another fight on the floor in which we seek to dismember the committee.

The public also knows that there have been illegal bombings in Cambodia, embassy break-ins, disruption of peace groups, opening of mail illegally and the Chilean intervention without nearly as much attention given to incidents—those gross illegalities that the Congress knew or should have known about—as has been devoted to an alleged disclosure of such illegal action.

I think that what the public is seeing here is a very bad precedent if we do not adopt this amendment, a bad smell of a witch-hunt and a bad impression on the public.

We have been called the aggressive 94th Congress. Not many people believe that anymore. We have been called a veto-proof Congress. We have been called the do-nothing Congress.

I know that the gentleman from Arizona agrees with that, but I know that none of us want the label of the cover-up Congress.

Mr. Chairman, I think that is where we are headed if we do not adopt the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut (Mr. GIAIMO).

(Mr. GIAIMO asked and was given permission to revise and extend his remarks.)

Mr. GIAIMO. Mr. Chairman, I rise in support of the amendment.

I think it has been clearly identified as the Harrington amendment, as to whether or not the gentleman from Massachusetts should serve on this committee.

As I said on an earlier day, I do not wholly agree with the gentleman from Massachusetts (Mr. HARRINGTON). There are many areas in which we disagree. However, I find it very offensive that we move in this way to challenge the right of a Member to sit on a committee.

I recognize that this is not the purpose of some members of the Committee on Rules or of others, but I do know that this is inherently what has been the issue in this debate. This debate which for many reasons, questions in the House not whether or not the intelligence agencies of the United States may have in some way violated the law and infringed on the rights of American citizens, but instead of that, is used as a vehicle by those who would divert us from that investigation. Instead they divert us from that by charging that Members of Congress may have acted improperly and may have spoken on the floor of the House or elsewhere and informed the people that a possible crime had been committed by some governmental agency.

How reminiscent of other recent events in American history that is.

The CHAIRMAN. The time of the gentleman from Connecticut (Mr. GIAIMO) has expired.

The Chair recognizes the gentleman from New Jersey (Mr. MAGUIRE).

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. MAGUIRE. I will be happy to yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Chairman, I suggest that we not allow this to happen. I suggest that if the gentleman from Massachusetts (Mr. HARRINGTON) has violated any rules or laws of the House, he be challenged in a proper place, but that this is not the place to do it. His right to serve on this committee should have been questioned when he first went on it and not months later.

I find something else very offensive here, and I must become political for a moment, if I may. That is the questioning of the right of any Democratic Member of this body to serve on any committee. I think the right of a Democratic Member to serve on this committee should be decided by Democrats in this House, and there has been altogether too much involvement by the minority party, the Republican Party, in a matter

which should have been the responsibility of the Democratic Party to determine, rather than to have done it in this way.

This could be the precedent for many other dangerous situations which could confront us and certainly which could confront my friends in the minority. Rest assured that there will be a time when they will have this type of dispute and would wish those of us in the majority to absent ourselves.

I will say to my friend, the gentleman from California, that he surely would not want us helping to resolve it for the minority, even though we might be most happy to do so.

Therefore, I say, in simple fairness, let us get on with the business of this committee. It has fiddled and done nothing since February. Let us get on and show the American people that this House can do something, can conduct an investigation, and let us be fair to the gentleman from Massachusetts (Mr. HARRINGTON).

Mr. MAGUIRE. Mr. Chairman, I wish to associate myself with the remarks of the gentleman from Connecticut (Mr. GIAIMO), and I urge the adoption of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. DELLUMS).

(Mr. DELLUMS asked and was given permission to revise and extend his remarks.)

Mr. DELLUMS. Mr. Chairman and members of the committee, the gentleman from California thinks that in the last hour or so he has seen a great deal of dust covering, where we confuse the issues. A great American, Frederick Douglass, once said that dust covering is an activity engaged in by those in pursuit of victory, not of truth.

The gentlewoman from New York, whom I think is in pursuit of the truth, has spoken eloquently and precisely as to what the issue is here. We should not in any way be engaged in trials of any of the Members who have served on this committee. The only fair and equitable thing to do is to reappoint all of the various members of the original committee back to the committee. If the Members want to expand the size of the committee, then they can do so. We should also allow those Members who do not wish to serve on the committee to leave the committee. No one Member of the House, even my distinguished colleague, the gentleman from California (Mr. SISK), has a right to remove my privilege. We both represent districts of some 464,000 constituents. His constituents elected him and my constituents elected me, and I presume that neither one of us could get reelected were we to change our respective districts.

None of us have any right to try each other on the floor of the Congress.

I say that in fairness, with a sense of equity and with the desire for the pursuit of truth, that we should pass this amendment, and allow all of the Members to return back to the committee who were members of it. And if the gentleman from Michigan (Mr. NEBZI) or the

gentleman from Massachusetts (Mr. HARRINGTON) or the gentleman from Connecticut (Mr. GIAIMO) or any other member of that committee seeks to remove himself from that committee, or if the other Members desire to serve, then I say give us the right and privilege to do that. But I repeat that the Members have no right to try us on the floor of the House without due process.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. ASHBROOK).

(Mr. ASHBROOK asked and was given permission to revise and extend his remarks.)

Mr. ASHBROOK. Mr. Chairman, I think this very episode signifies and exemplifies just what is wrong with this body. I think it is also a good example of what the public perceives to be wrong with this body. The Congress that represents itself to be able to answer everybody's problems throughout the country now finds itself completely inadequate when it comes to its own problems. This special investigating committee has been a problem.

I am sorry the gentlewoman from New York (Ms. ABZUG) is not on the floor. I was absolutely shocked when I listened to the gentlewoman, because she totally reversed the arguments she has made over the years. She absolutely swept them under the rug in this particular instance.

She spoke in terms of the old buddy-buddy system in Congress she talked about the club approach—"let us not look into each other" arguments approach which she so often discredited before today's debate. The "everybody has the right to set their own standards," approach. The "every Member has the right to do what he wants" approach. She ratified this old guard, "we all look the other way" attitude the young reformers have rejected.

All these attitudes are what the public perceive to be wrong with this body.

After I listened to my colleague from New York talk of the club approach, I remembered a few years ago when this Member was raising questions about a committee chairman regarding non-existing staff people on the payroll of my committee, I was told "No, no, do not do that. The chairman is all right. Do not question what he is doing."

Well, I thought that is what we were getting rid of, but it sounds like the arguments today are leading us in the opposite direction: Let us not look into all of our own problems, let us just sweep them under the rug.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. MILLER).

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman, I take the floor because I am truly disturbed by the discussion I have heard on the floor today; because I think my own worst fears and the worst fears of many others have been realized because of this resolution, in the way it is being handled. We have heard that the motives of some of the committee members have been questioned, and I am disturbed by

this. I heard earlier that perhaps the gentleman from California (Mr. DEL-LUMS) could not serve on this committee because he was impassioned, he was over-enthusiastic; that also the gentleman from New York (Mr. STRATTON) could not serve on the committee, and the gentleman from Connecticut (Mr. GIAIMO) could not serve on the committee, and the gentleman from Massachusetts (Mr. HARRINGTON) could not serve on the committee. Let me tell the Members that I want impassioned people on this committee. I want them as impassioned and as zealous in the protection of our liberties as those people they are investigating, who have been alleged to have violated those liberties, because I have seen the work of those who violate our liberties and our civil rights, because they too are overzealous in trying to restrict our freedoms. I say that our country cannot stand that sort of activity.

So, Mr. Chairman, I would hope that whoever serves on this committee, while I believe it should be the same committee, I hope that they can and will do their best to protect those liberties, because I think that this is the most important charge that they can have. I think that is the most important thing we can do. I think that what we have seen as a result of this resolution is a derogation of many Members of this House without base, based upon innuendo, based upon slander, and I think it has been very detrimental to this House in the public eye. I think that this committee can bring great respect to this House and can bring great trustworthiness by the American people in the democratic process, but we cannot now start selecting Members of this House who can serve and who cannot serve because they are overzealous, because they are enthusiastic, because we are talking about the fundamental rights of people in this country.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from Maryland (Mr. BAUMAN).

Mr. BAUMAN. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. McCLODY).

(Mr. McCLODY asked and was given permission to revise and extend his remarks.)

Mr. McCLODY. Mr. Chairman, I think the House has a legitimate role in the establishment and the operation of the Select Committee on Intelligence. An impasse has been reached on the other side of the aisle. I have not involved myself in that impasse.

I think the gentleman from Missouri (Mr. BOLLING) has brought forth a logical, workable solution under which this House of Representatives can exercise the authority that it should be exercising. I feel strongly that we do need intelligence agencies and a strong intelligence community. I agree that this is essential for our own national security. I agree also that the rights of individuals should not be abused or denied because of excesses or illegal actions of any intelligence agency.

I think that this select committee

should fulfill its role of investigating all aspects of this subject, with due protection to the agencies themselves, with due protection to the individual constitutional and legal rights of all, and without any conflict of personalities wrecking the opportunity for our carrying out our legitimate prerogatives.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut (Mr. DODD).

(Mr. DODD asked and was given permission to revise and extend his remarks.)

Mr. DODD. Mr. Chairman, I would like to associate my remarks with those of the gentleman from California (Mr. MILLER) and the gentleman from Connecticut (Mr. GIAIMO).

I would like to point out to the Members of this body that there is only one issue facing us in this particular amendment. The issue is clear, and we all know what it is. The issue revolves around the propriety of certain alleged actions of a Member of this body, specifically, the gentleman from Massachusetts (Mr. HARRINGTON).

If the Members of this body should decide that the actions of the gentleman from Massachusetts (Mr. HARRINGTON) deserve investigation, then so be it. Let the House work its will and proceed. But to deny the gentleman from Massachusetts (Mr. HARRINGTON) the opportunity to defend himself, or to deny an opportunity for a full hearing of this issue, is a backdoor, backhanded censure of a Member of this body. A vote against the amendment by the gentleman from California (Mr. MOSS) will be tantamount to such a backhanded censorship of Mr. HARRINGTON.

I think the Members ought to clearly understand that when they vote on this amendment, they will be voting on the propriety of alleged activities of a fellow Member without according to that Member a most basic and fundamental guarantee—the presumption of innocence until proven guilty.

I would urge the Membership to support this amendment.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from New York (Mr. KOCH).

(Mr. KOCH asked and was given permission to revise and extend his remarks.)

Mr. KOCH. Mr. Chairman, there are very few votes that come before this House that can be deemed votes of conscience in the classic sense—very few, perhaps 2 or 3 a year. This happens to be one of them.

We really cannot destroy the gentleman from Massachusetts (Mr. HARRINGTON). In his own district he is a hero, and if this vote were to be adverse, he would be a hero in the country. But the fact is that we can destroy the integrity of the Congress if we do not vote to support this amendment. I say that because I believe that the gentleman from Massachusetts (Mr. HARRINGTON) has done nothing illegal. And we know that. Indeed other Members, I have been told,

have done exactly what he has done without any questions of propriety being raised.

The chairman of one of our distinguished committees has stated that he has on a number of occasions refused to be bound by secrecy classifications made by the executive branch and in pursuit of his duties has made public classified information. He said that the executive branch when it classifies material can only impose that classification on members of the executive branch itself and cannot bind Members of Congress.

My friend, MICHAEL HARRINGTON, performed his obligations as a Member of Congress to uphold the Constitution by bringing to the attention of the Congress and the American public, acts of illegality performed by the executive branch. I would hope that we would all, when faced with a similar situation, perform our obligations as well.

So if we are going to cast a vote of conscience—which this one is—I do not think we have any alternative but to support this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Ms. HOLTZMAN).

(Ms. HOLTZMAN asked and was given permission to revise and extend her remarks.)

Ms. HOLTZMAN. Mr. Chairman, I rise in support of this amendment because I think the issue is a very simple one. I do not think the issue is the gentleman from Massachusetts (Mr. HARRINGTON). I do not think the question is whether what he did was right or wrong. I think the issue is one of due process and of fair play.

Somebody said the House of Representatives has no right to censure or punish or discipline Members of the House. I disagree. But I think it has to be done at a proper time and place.

I think the integrity of the House is involved here. This amendment permits each member of the present Select Committee on Intelligence to serve on the new committee. If we do not adopt this amendment we will have stigmatized those members of the select committee who are not reappointed and we will have done so without giving them a fair hearing. It seems to me that is unworthy of the House of Representatives. Surely we ought to afford all Members a right to a hearing and to defend themselves and to do it in an appropriate time and place.

I urge the House to follow its best traditions and support this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Montana (Mr. BAUCUS).

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. BAUCUS. I yield to the gentleman from Wisconsin (Mr. OBEY).

I thank the gentleman from Montana.

Mr. OBEY. Mr. Chairman, first of all I want to associate myself with the remarks of the gentleman from Connecticut (Mr. GIALMO).

Let me say this amendment institutionally has problems, I know. Some say it is impractical. But on balance I am going to support it because I am not going to accept without challenge any

action, the practical result of which will be to penalize an individual for doing in this instance what Congress did collectively last year on impeachment, namely, to strip away the inappropriate use of terms like "national security" and "secret" in order to reveal truth.

I may disagree with some specific techniques used by the gentleman from Massachusetts, MICHAEL HARRINGTON, but on balance I honestly believe his revelations about the CIA have done the country more good than bad.

I voted against the resignation of the gentleman from Michigan, Mr. LUCIEN NEDZI. I did it not to be practical but because I have confidence in the gentleman from Michigan (Mr. NEDZI). I disagreed with those who said the gentleman from Michigan (Mr. NEDZI) should not serve because he did not announce publicly what he had learned about the CIA.

The CHAIRMAN. The time of the gentleman from Montana has expired.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I do not think an individual has an obligation around here to always be a hero. I think he has an obligation to use his best judgment and I think that is what the gentleman from Michigan, Mr. LUCIEN NEDZI, did. Some perhaps might have acted differently. Who knows. But I give him credit for and have confidence in his judgment and his integrity.

But it seems to me if some here feel the gentleman from Massachusetts, Mr. MICHAEL HARRINGTON's action was wrong, then the place to challenge it under the normal rules and procedures of this House is first of all not here, it is in the Democratic Caucus. Second, it seems to me the time to challenge it is not now but when that action took place almost a year ago, not now, a year later after he had been appointed to this committee with the full knowledge of what his past actions had been.

I think fairness requires we support this amendment. I understand institutionally it has some problems, as I have said, but I think the country has a right to see Congress act fairly and I do not think we will act fairly in this instance if we do not adopt this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana (Mr. LONG).

(Mr. LONG of Louisiana asked and was given permission to revise and extend his remarks.)

Mr. LONG of Louisiana. Mr. Chairman, there is one point I would like to make. In discussions we held before the Rules Committee trying to work out a solution to this problem and in the discussions that were held by many of us outside the Rules Committee, never once was this possible solution even suggested nor was it suggested by any witness that appeared before the Rules Committee. It was not suggested by any present member of the committee as a possible solution to this problem, and we on the Rules Committee were looking hard for a workable solution.

I must admit in all frankness I as an individual did not think of this. But

I do say that should we adopt this amendment which has today or since yesterday been presented as a possible solution, that it does not necessarily resolve the problem. The reason it does not is because should the chairman of the committee decide that he wants to stay on the committee; under this amendment we would find ourselves in exactly the same position that led us to take the action that we in the Rules Committee so reluctantly had to take. Consequently, this is no solution to the problem at all.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. BROWN).

(Mr. BROWN of Michigan asked and was given permission to revise and extend his remarks.)

Mr. BROWN of Michigan. Mr. Chairman, I think it is truly unfortunate that this amendment is before us. I think the tenor of the debate would cause anyone in the Chamber to believe it is unfortunate that it is before us. What is the only justification for it being before us? It is that it is a tradition of the House that when a committee is changed and expanded that its present membership is retained. Now, that is the regular and ordinary thing. But is this a regular and ordinary event? I suggest that it is not. I suggest the reason the matter is before us today is unprecedented. How many times have we voted to reject the resignation of a chairman of a committee?

I reject totally the discussions that have been held on the floor here today that this is an item that involves the gentleman from Massachusetts. I think it just as much involves my colleague, the gentleman from Michigan, and there is not a finer man in the House. But are we as the membership in this House going to, in effect, perpetuate tenths of a committee that found itself at an impasse, that found itself in an intolerable situation that led to these unprecedented events? I cannot imagine the House conscientiously and intentionally doing that, and that is the only issue before us.

I urge defeat of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. HALEY).

(Mr. HALEY asked and was given permission to revise and extend his remarks.)

(Mr. HALEY addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.)

The CHAIRMAN. The Chair recognizes the gentleman from Missouri (Mr. BOLLING) to close the debate.

Mr. BOLLING. Mr. Chairman, I regret that this amendment is offered for two reasons. One, because it allows in the minds of some this matter to turn into a referendum on a Member.

I proposed the resolution and the resolution was designed to avoid that, if possible, simply because I thought that any Member deserved the opportunity to go through a process more rational than a floor debate, but that is not really the reason I oppose this amendment.

There have been a lot of arguments made that are not valid. There has been some conversation about how the Democratic Caucus should have dealt with it, but I have worked pretty hard to have a live Democratic Caucus that has some power, but it is more than 30 days since the House first acted on the impasse and I have not seen any very vigorous effort to bring the matter before the caucus for a vote.

As a matter of fact, I have gained the impression, perhaps erroneously, that nobody really wanted to have it in the caucus for a vote.

But I oppose this amendment on narrow, procedural grounds. This could set the worst possible precedent.

For all the time that the Congress has existed, the House has existed, select committees have been appointed solely by the Speaker. There has never been a direction to the Speaker that I can find to put a Member on or keep a Member off in connection with the appointment of a select committee. As far as I can figure out, that is a direct line from the beginning, from Jefferson's manual on; and for the institution to decide suddenly, as what may appear to some to be a tactic, to change that approach not only to select committees but to conference committees, seems to me a very, very serious mistake.

I have spoken several times on this matter, and I am not inclined to use words loosely. In my first speech, I said that I honored every member of this select committee, and I repeat it now. The issue today is very simple. Is the House of Representatives going to have a committee of its choice which successfully carries out the mission, given to the committee that we will abolish, some months ago?

I think that is the only issue. I think that is the fundamental issue, and I repeat a little of what I said on Monday night, that I think this institution and its successful performance is far more important than all the other matters that have been discussed and all the other individuals that are involved.

Mr. Chairman, I hope this amendment will be roundly defeated.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from California (Mr. Moss).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. MOSS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 119, noes 274, answered "present" 24, not voting 17, as follows:

[Roll No. 402]

AYES—119

Abzug	Beard, R.I.	Burton, John
Addabbo	Bedell	Carney
Ambro	Bieber	Carr
Anderson,	Bingham	Chisholm
Calif.	Blouin	Clay
Anderson, Ill.	Bonker	Cohen
Badillo	Brinkley	Collins, Ill.
Baldus	Brown, Calif.	Conte
Baucus	Burke, Calif.	Conyers

Corman	Howard
Cornell	Howe
Cotter	Hughes
Danielson	Jacobs
Dellums	Jenrette
Dent	Jordan
Dodd	Kastenmeier
Downey	Keys
Drinan	Koch
Early	Leggett
Eckhardt	Lloyd, Calif.
Edgar	McCloskey
Edwards, Calif.	McCormack
Evans, Ind.	McHugh
Fascell	Macdonald
Florio	Maguire
Ford, Tenn.	Metcalfe
Gialmo	Meyner
Gibbons	Mezvinsky
Green	Mikva
Gude	Miller, Calif.
Hall	Mineta
Hamilton	Mitchell, Md.
Hanley	Moakley
Harkin	Moffett
Harrington	Moss
Harris	Mottl
Hawkins	Nolan
Hechler, W. Va.	Oberstar
Hicks	Obey
Holland	Pattison, N.Y.
Holtzman	Rangel

NOES—274

Abdnor	du Pont
Adams	Edwards, Ala.
Alexander	Eilberg
Andrews, N.C.	Emery
Andrews,	English
N. Dak.	Erlenborn
Annunzio	Esch
Armstrong	Eshleman
Ashbrook	Fary
Ashley	Fenwick
AuCoin	Findley
Bafalis	Fish
Barrett	Fisher
Bauman	Pithian
Beard, Tenn.	Flood
Bell	Flowers
Bennett	Ford, Mich.
Bergland	Forsythe
Bevill	Fountain
Biaggi	Fraser
Blanchard	Frey
Boggs	Fuqua
Bo. and	Gaydos
Bolling	Gilman
Bowen	Ginn
Brademas	Goldwater
Breaux	Goodling
Brodhead	Gradison
Brooks	Grassley
Broomfield	Guyer
Brown, Mich.	Hagedorn
Brown, Ohio	Haley
Broyhill	Hammer-
Buchanan	schmidt
Burgener	Hansen
Burke, Fla.	Harsha
Burke, Mass.	Hastings
Burleson, Tex.	Hays, Ohio
Burison, Mo.	Hébert
Burton, Phillip	Heckler, Mass.
Butler	Hefner
Byron	Heinz
Carter	He stoski
Casey	Henderson
Cederberg	Rightower
Chappell	Hillis
Clancy	Hinshaw
Clausen,	Holt
Don H.	Horton
Clawson, Del.	Hubbard
Cleveland	Hungate
Collins, Tex.	Hyde
Conable	Ichord
Conlan	Jarman
Coughlin	Johnson, Calif.
Crane	Johnson, Colo.
Daniel, Dan	Johnson, Pa.
Daniel, R. W.	Jones, Ala.
Daniels, N.J.	Jones, N.C.
Davis	Jones, Okla.
de la Garza	Jones, Tenn.
Delaney	Kasten
Derrick	Kazen
Derwinski	Kelly
Devine	Kemp
Dickinson	Ketchum
Diggs	Kindness
Dingell	Krebs
Downing	Krueger
Duncan, Oreg.	LaFalce
Duncan, Tenn.	Lagomarsino

Rees	Reuss
Richmond	Riecle
Rodino	Roncalio
Rosenthal	Roybal
St Germain	Sarbanes
Scheuer	Schroeder
Seiberling	Sharp
Simon	Simon
Solarz	Stanton,
Stanton,	James V.
Stark	Stokes
Studds	Tsongas
Vanik	Waxman
Weaver	Whalen
Wilson, Tex.	Wirth
Wolf	Yates

Roe	Rogers
Rooney	Rose
Rostenkowski	Roush
Rousselot	Runnels
Ruppe	Russo
Ryan	Satterfield
Schneebeil	Schulze
Sebelius	Sebelius
Shriver	Shuster
Sisk	Skubitz
Slack	Smith, Iowa

Smith, Nebr.	Snyder
Spellman	Stagers
Stanton,	J. William
Steed	Steiger, Ariz.
Stratton	Stephens
Stucky	Sullivan
Symington	Talcott
Taylor, Mo.	Taylor, N.C.
Thompson	Thone
Thornton	Traxler
Ullman	Van Deerlin

Vander Jagt	Vander Veen
Vigorito	Waggoner
Walsh	Wampler
White	Whitehurst
Whitten	Wiggins
Wilson, Bob	Wilson, C. H.
Winn	Wright
Wyder	Wyllie
Yatron	Young, Alaska
Young, Fla.	Young, Ga.
Zablocki	Zeretti

ANSWERED "PRESENT"—24

Aspin	Hayes, Ind.	Myers, Pa.
Breckinridge	Hutchinson	Pike
Cochran	Jeffords	Quie
D'Amours	McCollister	Quillen
Flynt	McKinney	Sarasin
Foley	Madigan	Spence
Frenzel	Milford	Treen
Gonzalez	Mitchell, N.Y.	Young, Tex.

NOT VOTING—17

Archer	Matsunaga	Sikes
Evans, Colo.	Mink	Steelman
Evins, Tenn.	Patman, Tex.	Steiger, Wis.
Fulton	Patterson,	Symms
Hannaford	Calif.	Teague
Karth	Santini	Udall

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BOLLING

Mr. BOLLING. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOLLING: In section 8, on page 6, line 8, strike out "January 3" and insert "January 31".

(Mr. BOLLING asked and was given permission to revise and extend his remarks.)

Mr. BOLLING. Mr. Chairman, this is the matter that the gentleman from Illinois (Mr. McCLOY) and I were discussing on Monday. It changes the dates from January 3, 1976, to January 31; that is the correct date.

Mr. Chairman, I would ask for a vote of approval on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. BOLLING).

The amend was agreed to.

AMENDMENTS OFFERED BY MR. TREEN

Mr. TREEN. Mr. Chairman, I offer amendments, and I ask unanimous consent that they may be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. TREEN: Page 1, line 4, after the word "oversight" strike out the remainder of the sentence, and insert: "Of certain intelligence agencies of the United States Government."

Page 2, line 5, through line 3 on page 3 strike out all of section 2, and insert:

"Sec. 2. The select committee is authorized and directed to conduct an inquiry into the intelligence agencies identified in section 3, with regard to—

(1) the collection, analysis, use, and cost of intelligence information and allegations of illegal or improper activities;

(2) the procedures and effectiveness of coordination among and between said agencies;

(3) the nature and extent of executive branch oversight and control of said agencies;

(4) the need for improved or reorganized oversight by the Congress of said agencies;

(5) the necessity, nature, and extent of overt and covert intelligence activities of said agencies;

(6) the procedures for and means of the protection of sensitive intelligence information by said agencies; and

(7) procedures for and means of the protection of rights and privileges of citizens of the United States from illegal or improper intelligence activities by said agencies."

Page 3, line 4, through line 2, page 4, strike out all of section 3 and insert:

"Sec. 3. In carrying out the purposes of this resolution, the select committee is authorized to inquire into the activities of the following:

(1) the Central Intelligence Agency;

(2) the Federal Bureau of Investigation; and

(3) the Department of the Treasury and the Department of Justice."

Page 4, line 20, strike out the word "Central", and all of lines 21 and 22, and insert: "intelligence agencies identified in section 3."

Mr. TREEN (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

(Mr. TREEN asked and was given permission to revise and extend his remarks.)

Mr. TREEN. Mr. Chairman, I know the hour is late, and we have been on this matter a long time, I had prepared this amendment several days ago because I think it is important that the committee address the problem that the gentleman from Ohio (Mr. Latta) focused on, and that is the breadth of this inquiry.

I have supported continuously, as a member of the original Select Committee on Intelligence, that we go forward with our investigation. I feel that when we have these sort of allegations, founded or unfounded, that it is important for the Congress of the United States, and particularly the House, as well as the Senate, to respond with an inquiry.

I have supported an inquiry, but I do think we have a very serious problem as to the extent of the mandate set forth in this resolution. Those Members who have copies of the resolution available might look at page 3, which lists the 14 different agencies that this committee is authorized to look into.

If the Members will look at section 2, they will find language that provides that the select committee is "authorized and directed" to conduct an inquiry into all intelligence activities of this Government.

On page 3 we are directed to make an inquiry into the National Security Council; the U.S. Intelligence Board; the President's Foreign Intelligence Advisory Board; the CIA; the Defense Intelligence Agency; the intelligence components of the Army, Navy, and Air

Force; the National Security Agency; the Intelligence and Research Bureau of the Department of State; the FBI, the Department of the Treasury and the Department of Justice, the Energy Research and Development Administration, and then all other instrumentalities of the U.S. Government engaged in or responsible for intelligence activities.

My amendment would limit this to those agencies that really have been accused, rightly or wrongly, of improper activities. My amendment would limit the inquiries to the CIA, the FBI, the Department of the Treasury, and the Department of Justice; and, of course, in covering the Department of the Treasury, we cover IRS.

We have 5 months to do this job and to report by January 31 of next year, and it is impossible for us to do, it seems to me, the job mandated by this resolution if we cover all of these areas. I think it is impossible to do a good job even with the four that are left in by my amendment if adopted.

Some may say the committee can decide which agencies it will look into. I say if we leave it to the committee, the committee will be criticized if it elects not to investigate certain agencies, just as the Rockefeller Commission was criticized for not going further than it did.

Indeed, the language in section 2, as I mentioned before, not only authorizes but directs this committee to collect, analyze, et cetera, all intelligence information and allegations of illegal improper activities of all intelligence agencies in the United States and abroad. I say let us confine our inquiry, at this time, with the 5 months that we have left, to these four agencies or departments. Given the fact that we are going to have 13 people instead of 10 asking questions, and given the fact that all of the committee members have other committees on which they serve and other duties, it is going to be extensively difficult to cover even four areas. Let us be realistic about how much this committee can accomplish and accomplish satisfactorily. I urge adoption of the amendment.

Mr. BOLLING. Mr. Chairman, I rise in opposition to the amendment.

(Mr. BOLLING asked and was given permission to revise and extend his remarks.)

Mr. BOLLING. Mr. Chairman, I hope we can vote on this matter very quickly, and I will be very brief.

I remain convinced that the select committee should have the opportunity to deal with the whole complicated difficult problem. Without that opportunity and responsibility, I do not think it can acquit itself fully and bring forth the kind of report that I anticipate from it. I think that on Monday, if the committee is successful in organizing and beginning its processes, if it needs additional time, no doubt the House will give it additional time, but I think it would be a mistake to narrow the jurisdiction to a limited number of agencies.

I think it is imperative that we have a thorough, complete, and full investigation. I, therefore, urge the Members to vote against the amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Louisiana (Mr. TREEN).

The question was taken; and on a division (demanded by Mr. TREEN) there were—ayes 34, noes 138.

So the amendments were rejected.

The CHAIRMAN. Are there further amendments?

AMENDMENT OFFERED BY MR. TREEN

Mr. TREEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TREEN: Page 3, after line 3, insert: "Provided, That the authority conferred by this section shall not be exercised until the committee shall have adopted the rules, procedures, and regulations required by section 6 of this resolution."

(Mr. TREEN asked and was given permission to revise and extend his remarks.)

Mr. TREEN. Mr. Chairman, this is a very simple amendment. As a matter of fact I hope the author of the resolution will accept it. I did not ask for a record vote on the last amendment because it was pretty obvious I would lose and I do not want to prolong this discussion of the resolution, but I think this is an important matter.

What this amendment does is tell the new committee that it shall not begin its investigation or its inquiry until it has done what section 6 of this resolution states it should do. It is identical with section 6 of the prior resolution. It mandates that we adopt rules of procedure. It says the committee must adopt security regulations; it must adopt the language of a contract to prevent any staff member from writing a book or an essay or receiving an honorarium based on information he receives as a member of the staff, and it also mandates that all members of the staff have a security clearance as required by the committee before they begin the investigation.

The fact of the matter is that the present committee hired staff, and the staff has done a great deal of investigating, taking statements, and receiving documents although the select committee never adopted the security regulations necessary for the control of the information we received.

I really believe that this is one of the problems that our committee faced in its functioning. We were interrupted in our consideration of the security regulations by the controversy over the chairmanship of the committee and never adopted security regulations. We have had a number of staff members going all around conducting investigations in the name of our committee without there ever having been security regulations adopted.

Mr. BOLLING. Mr. Chairman, will the gentleman yield?

Mr. TREEN. I yield to the gentleman from Missouri.

Mr. BOLLING. Mr. Chairman, I have consulted a variety of people who are more expert in this matter than I. I can see no possible objection to this. It may be redundant but it is harmless redun-

dancy. Therefore I am prepared to accept the amendment.

Mr. TREEN. I thank the gentleman from Missouri.

I will say with respect to the question of redundancy, one would have thought so, but the fact of the matter is the committee proceeded without having done this in the first instance, so I think the history of the situation directs that we mandate that the section 6 requirements be met before the committee commences its inquiry.

Mr. QUILLEN. Mr. Chairman, will the gentleman yield?

Mr. TREEN. I yield to the gentleman from Tennessee (Mr. QUILLEN).

Mr. QUILLEN. Mr. Chairman, this side accepts the amendment.

Mr. McCCLORY. Mr. Chairman, will the gentleman yield?

Mr. TREEN. I yield to the gentleman from Illinois.

Mr. McCCLORY. Mr. Chairman, I thank the gentleman for yielding.

I commend the gentleman for his amendment. It is a good amendment and it should be adopted.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker resumed the chair, Mr. EVANS of Colorado, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the resolution (H. Res. 591) establishing a Select Committee on Intelligence, pursuant to House Resolution 596, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PICKLE. Mr. Speaker, due to an appointment with the doctor on Monday, July 14, 1975, I was unavoidably absent during a portion of the debate on the Agriculture appropriations, H.R. 8561.

During my absence, the House adopted an amendment by Mr. JOHN BURTON of California which provided moneys to the Farmers Home Administration revolving loan fund for soil and water conservation use.

Since most farmers are required to have pollution control facilities built within the next 2 years to meet EPA water standards, these 40-year loans at 5 percent, would be most beneficial.

Mr. BURTON's amendment called for exacting standards for those seeking loans and was wisely approved by the House. If I had been present, I would have voted aye on the amendment.

#### ENERGY CONSERVATION AND OIL POLICY ACT OF 1975

Mr. DINGELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 7014) to increase domestic energy supplies and availability; to restrain energy demand; to prepare for energy emergencies; and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan.

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 7014) with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Tuesday, July 15, the Clerk had read through the first section ending on page 165, line 24, of the substitute committee amendment.

The Clerk will read.

The Clerk read as follows:

#### TABLE OF CONTENTS

#### TITLE I—FINDINGS, PURPOSE, AND DEFINITIONS

- Sec. 101. Findings.
- Sec. 102. Statement of purposes.
- Sec. 103. Definitions.

#### TITLE II—STANDBY ENERGY AUTHORITIES AND NATIONAL CIVILIAN STRATEGIC PETROLEUM RESERVE

##### PART A—STANDBY ENERGY AUTHORITIES

##### Subpart 1—General Emergency Authorities

- Sec. 201. Conditions of exercise of energy conservation and gasoline rationing authorities.
- Sec. 202. Energy conservation contingency plans.
- Sec. 203. Gasoline rationing contingency plan.

##### Subpart 2—International Authorities

- Sec. 211. International oil allocation.
- Sec. 212. International voluntary agreements.
- Sec. 213. Advisory committees.
- Sec. 214. Exchange of information.

##### Subpart 3—Materials Allocation

- Sec. 221. Materials allocation.

#### PART B—NATIONAL CIVILIAN STRATEGIC PETROLEUM RESERVE

- Sec. 251. Declaration of policy.
- Sec. 252. Definitions.
- Sec. 253. National Civilian Strategic Petroleum Reserve and National Civilian Strategic Petroleum Reserve Plan.
- Sec. 254. Early Storage Reserve.
- Sec. 255. Congressional review and implementation of the National Civilian Strategic Petroleum Reserve Plan.
- Sec. 256. Authorization and review of extraordinary measures to implement the Plan.
- Sec. 257. Purchase of petroleum products for storage in the Reserve.
- Sec. 258. Disposal of the Reserve.
- Sec. 259. Authorization of appropriations.
- Sec. 260. Coordination with import quota system.

#### TITLE III—OIL PRICING POLICY AND MEASURES TO MAXIMIZE AVAILABILITY OF ENERGY SUPPLIES

- Sec. 301. Oil pricing policy.
- Sec. 302. Limitations on pricing authority.
- Sec. 303. Production of oil or gas at the maximum efficiency rate and temporary emergency production rate.
- Sec. 304. Federal oil, gas, and coal leasing arrangements.
- Sec. 305. Domestic use of energy-related materials and equipment.
- Sec. 306. Domestic use of energy supplies.
- Sec. 307. Entitlements.
- Sec. 308. Recycled oil.

#### TITLE IV—ENERGY CONSERVATION MEASURES

##### PART A—ALLOCATION ACT AMENDMENTS AND OTHER ENERGY CONSERVATION MEASURES

- Sec. 401. Restructuring of Allocation Act.
- Sec. 402. Conversion to standby authorities.
- Sec. 403. Definitions in Allocation Act.
- Sec. 404. Amendment to section 4 of the Allocation Act.
- Sec. 405. Mandatory gasoline allocation savings program.
- Sec. 406. Retail distribution control measures.
- Sec. 407. Direct controls on refinery operations.
- Sec. 408. Inventory controls.
- Sec. 409. Hoarding prohibitions.
- Sec. 410. Supplemental authorities to assure reasonableness of petroleum prices.
- Sec. 411. Energy conservation in policies and practices of Federal agencies.
- Sec. 412. Public information program.
- Sec. 413. Report on enforcement of national maximum speed limit.
- Sec. 414. Energy conservation through van pooling arrangements.
- Sec. 415. Use of carpools.

##### PART B—INDUSTRIAL ENERGY CONSERVATION

- Sec. 451. Findings.
- Sec. 452. Definitions.
- Sec. 453. Energy efficiency targets for major industrial energy consumers.
- Sec. 454. Dissemination of energy efficiency guidelines.
- Sec. 455. Effects on employment.

#### TITLE V—IMPROVING ENERGY EFFICIENCY OF CONSUMER PRODUCTS

##### PART A—AUTOMOBILE FUEL MILEAGE

- Sec. 501. Definitions.
- Sec. 502. Average fuel economy standards applicable to each manufacturer.
- Sec. 503. Determination of average fuel economy.
- Sec. 504. Judicial review.
- Sec. 505. Information and reports.
- Sec. 506. Labeling and advertising.
- Sec. 507. Prohibited conduct.
- Sec. 508. Civil penalty.
- Sec. 509. Effect on State law.

#### PERMISSION FOR AD HOC COMMITTEE ON OUTER CONTINENTAL SHELF TO SIT DURING 5-MINUTE RULE TOMORROW

Mr. BREAU. Mr. Speaker, I ask unanimous consent that the Ad Hoc Committee on the Outer Continental Shelf be allowed to sit tomorrow during the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

#### PERSONAL EXPLANATION

(Mr. PICKLE asked and was given permission to address the House for 1-minute and to revise and extend his remarks.)