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Cong. Green

HOUSE OF REPRESENTATIVES

HEARINGS

BEFORE THE COMMITTEE

on

SELECT COMMITTEE ON INTELLIGENCE

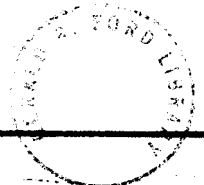
COMMITTEE BUSINESS

VOLUME 25

Thursday, November 13, 1975

Washington, D. C.

Official Reporters to Committees



COMMITTEE BUSINESS

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2
3 Thursday, November 13, 1975
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5 House of Representatives,
6 Select Committee on Intelligence,
7 Washington, D. C.
8

9 The committee met, pursuant to notice, at 9:07 a.m.,
10 in Room 2118, Rayburn House Office Building, the Honorable
11 Otis G. Pike (chairman), presiding.

12 Present: Representatives Pike (chairman), Giaimo,
13 Stanton, Dellums, Murphy, Aspin, Milford, Hayes, Lehman,
14 McClory, Treen, Johnson and Kasten.

15 Also Present: A. Searle Field, Staff Director, Aaron
16 B. Donner, Counsel; Jack Roos and Peter Hughes, Committee
17 Staff.

18
19 Chairman Pike. The committee will come to order.

20 I want to start with what I hope will be a relatively
21 non-controversial matter.

22 You have before you a schedule of proposed hearings
23 with which we will conduct our work and hopefully conclude our
24 work.

25 There is a rather acute compression of our schedule



1 toward the end, as you notice. Let me share my thoughts with
2 you on why I think this would be appropriate.

3 As you will recall, we started at the lowest common
4 denominator, which was the money. We moved to the product.
5 We moved from there to the risk and if you will look at the
6 last four hearings, I think that we ought to address our-
7 selves at the conclusion of the hearings -- now that we have
8 some background information -- to the largest questions of all
9 i.e., should there be covert actions; the legal issues
10 involved in whether or not the President has the right to
11 authorize any and all covert actions without the consent or
12 knowledge of Congress, or whether he has the right to authorize
13 some but not all. That would be a subject of a hearing, the
14 legal questions involved.

15 The basic question of what role Congress should play in
16 oversight and how that oversight should be structured and
17 conducted. This is a very real problem. It gets into the so-
18 called Harrington situation, or the Nedzi situation. It gets
19 into the question of the rules of the House of Representatives,
20 particularly as they apply to the access of all members of
21 Congress to everything in every committee, and it gets to the
22 problems which the agencies have in multiple briefings of many
23 committees of Congress, and I think upon that we should have a
24 hearing.

25 Finally, just a rather broad thing which the staff has



1 labeled, for lack of a better word, the future of intelligence


2 None of these words are essentially my words. They do
3 represent a pattern of the way I think we ought to go in con-
4 cluding our hearings and I think we ought to get into the very
5 largest questions of all: What sort of intelligence community
6 should we support; what sort of intelligence activities should
7 we support, etc.

8 I want to say that I have no great pride of authorship in
9 this schedule. I have tried to accommodate the suggestions of
10 the members as to what we should be doing. I will simply say
11 unless I hear magnificent screams of outrage from the various
12 members, this is the manner in which I propose to continue the
13 hearings and wind them up.

14 Mr. McClory. Mr. Chairman, it is nice to start out the
15 morning with something you have described as a non-controversial
16 matter, and I want to concur in that.

17 You are correct that this is something that has been
18 discussed. I might say I have discussed the program with the
19 staff and I notice several of the items I suggested are
20 scheduled and I think that is very good.

21 There was one other suggestion I made and I don't see it
22 identified here specifically on the program, but it is some-
23 thing that several other members of the committee on both sides
24 are interested in and that is the possibility of a few
25 additional witnesses to give some balance with respect to some



1 of these subjects.

2 Now, that possibly can come in on December 4th on the
3 subject of Tet.

4 Chairman Pike. That is the subject of the hearing on
5 December 4th, the subject of Tet.

6 Mr. McClory. I know we have talked about getting some
7 expert testimony and I suggest this as a possibility though I
8 don't insist upon it.


9 Let me first say I have pursued in a very rapid way this
10 volume that was delivered to my office, outlining various areas
11 and reviewing aspects of the intelligence activity and options
12 this committee might be taking in connection with our final
13 report and it seems to be all covered there but it might be
14 worth while for us to have a few persons who have studied this
15 thing in depth who are not members of our staff who could come
16 and perhaps offer something.

17 Chairman Pike. I agree with the gentleman completely.
18 I think one of the most difficult jobs we are going to have
19 in those last four hearings is getting witnesses to present both
20 sides of the issue as to what our intelligence community ought
21 to be doing.

22 I want expert witnesses who are knowledgeable and I
23 welcome suggestions from the members of the committee.

24 Mr. Treen.

25 Mr. Treen. On December 4th I notice you have on the



1 suggested schedule the Tet item and I presume that is the
2 indication of when we would hear from General Graham and
3 Samuel Adams' testimony.

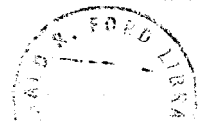
4 Chairman Pike. That is correct.

5 I don't consider myself or the committee being locked in
6 concrete on this thing. If something else is revealed in the
7 course of our investigation which seems to demand additional
8 hearings and studies, we will certainly consider it.

9 Let us move now from something which I had hoped would be
10 non-controversial that turned out to be, to something that
11 I expect will be controversial and that is the subject of
12 where we stand on the subpoenas which were issued by the
13 committee last week which were returnable last Tuesday and
14 either Mr. Field or Mr. Donner, if one of you would tell us
15 where we are as far as the returns on those subpoenas are
16 concerned, we would appreciate it. Keep it non-controversial
17 as long as possible. So start with the ones that have been
18 complied with.

19 Mr. Field. Thank you, Mr. Chairman.

20 The subpoena which has been complied with to the
21 greatest degree would be the subpoena which we issued to the
22 CIA asking for all documents or memoranda indicating contact
23 between the CIA and IRS. We received quite a large volume of
24 material on that. It was not sanitized. There were no
25 deletions in it of which I was aware and it seemed to be very




1 responsive to the subpoena.

2 I would say the second subpoena which would appear to be
3 complied with would be the subpoena requesting minutes of the
4 meetings of the Intelligence Committee, the working group and
5 the Economic Intelligence Subcommittee of the National Security
6 Council. Our interest there was to see how often these com-
7 mittees met and the type of subject they discussed, whether
8 they made decisions and so forth.

9 Chairman Pike. Would it be fair to state the return which
10 we got indicates perhaps the reason we got such good compliance
11 was that they didn't really meet very often?

12 Mr. Field. Yes, Mr. Chairman, I think it was interesting
13 in that respect. The Economic Intelligence Subcommittee, for
14 example, which is a fairly important area of intelligence, has
15 met once, I believe, since 1971, and made no decisions so it
16 was fairly easy to comply with the subpoena, I imagine.

17 The third subpoena which would appear to be in compliance
18 or we could construe as some form of substantial compliance,
19 is the meetings of the Washington Special Action Group with
20 respect to the October, 1973, Mideast War, the Cyprus crisis,
21 and the Portugal coup. We had received some information prior
22 on this and when we put it together with the information we
23 received pursuant to the subpoena, it did give us the infor-
24 mation as to the meetings, who had attended and what their
25 decisions had been.



1 Mr. McClory. Mr. Field, when you spoke with me a couple
2 of days ago, day before yesterday I believe, you said that
3 you had received all that you required with respect to NSA and
4 you were awaiting DIA and CIA material. You received that,
5 did you?

6 Mr. Field. That would be on a fourth subpoena. The
7 Washington Special Action Group meetings were in a different
8 field.

9 Chairman Pike. I want to make this clear on the record.

10 We subpoenaed the minutes of the meetings. Did we get
11 the minutes of the meetings?

12 Mr. Field. We got a cover sheet off of the minutes
13 which described in summary who was there, what topics had been
14 raised and what decisions had been made.

15 Chairman Pike. That is not my question. Did we get the
16 minutes of the meeting or did we get a summary of the minutes
17 of the meeting?

18 Mr. Field. We did not get the verbatim minutes of the
19 meeting. We got a summary sheet which was attached at the time
20 of the meeting. In other words, it was not made up --

21 Chairman Pike. It was not made up for our benefit?

22 Mr. Field. That is right.

23 Chairman Pike. I would deem that to be substantial com-
24 pliance.

25 Mr. Kasten. Is it the opinion of the staff the summary of



1 the minutes of the meeting are sufficient for our purposes?

2 The idea was merely to find out if meetings were held and what
3 was the subject matter of those meetings, or do we need, in
4 your opinion, more detailed information on the minutes of the
5 meeting?

6 Mr. Field. We weren't so much interested in the debate
7 that took place in the meeting as much as whether they had
8 met, how often they met during a crisis. In other words,
9 how good was this crisis mechanism.

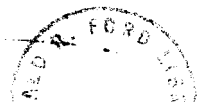
10 Mr. Kasten. Is it your opinion that you have what you
11 need?

12 Mr. Field. I think we have enough.

13 I was also concerned that the internal resolutions
14 may have raised an executive privilege problem. The summary
15 did prevent us from getting on into that problem.

16 Chairman Pike. We will have plenty to be controversial
17 about so let's just make the assumption that there is sub-
18 stantial compliance on that one.

19 Mr. Field. The next subpoena would have been the
20 intelligence information coming into the National Security
21 Council in the period immediately after the outbreak of war in
22 1973 in the Mideast and up to the period when the United States
23 troops were placed on alert. We have received quite a volume
24 of material on that primarily from NSA and from my quick review
25 they seem not to be sanitized or deleted. There is apparently



1 additional material on the way from DIA and CIA on that.
2 I think we have already received some CIA information in
3 response to this.

4 Chairman Pike. The response is the check is in the mail?

5 Mr. Field. Yes, and the material we have received is
6 adequate.

7 There is a subpoena to the State Department asking for
8 all of their recommendations for covert action. Any time the
9 State Department, on its own, recommended covert action.

10 The second subpoena is 40 Committee minutes, decision
11 minutes indicating any decisions made to undertake covert
12 action programs.

13 The third subpoena is the information relating to SALT
14 Agreement compliance.

15 Beginning with the State Department's subpoena for their
16 recommendations of covert action, that was compiled as of
17 Monday. The information will be compiled at the State
18 Department. We received a letter to the Chairman indicating
19 that this material had been sent to the White House.

20 Chairman Pike. When did you receive the letter to the
21 Chairman?

22 Mr. Field. The letter was received Monday afternoon.

23 Chairman Pike. I would only say that the Chairman
24 received a letter Tuesday morning. We can do with a little
25 better liaison right here, but that is all right.



1 Mr. Field. The material had been sent to the White
2 House. We then, in trying to locate the information on Tuesday
3 morning, learned that it had been sent to the Justice Depart-
4 ment for their review as to whether there should have been or
5 might be an executive privilege problem. It has apparently
6 been returned to the White House and this morning, about an
7 hour ago, a letter came to the Chairman -- Mr. Chairman, do
8 you have a copy of that letter?

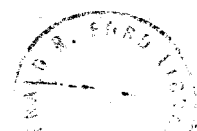
9 Chairman Pike. I have the letter, yes. That is the
10 one I was referring to.

11 Mr. Field. This is a follow-up to the letter on Monday.
12 This would indicate that there is still a decision to be
13 made as to whether executive privilege will be invoked. Would
14 you like me to read the letter, Mr. Chairman?

15 Chairman Pike. I will read the letter. I received that
16 letter just before this meeting. It is dated November 13th.

17 "Dear Chairman Pike.

18 "In a letter dated November 10th, the State Department
19 has reviewed their files in response to your subpoena of
20 November 6th. They have identified documents that indicate
21 that on eight occasions the Department of State submitted
22 recommendations concerning the issue of presidential approval
23 of covert activities. These documents were identified late
24 Monday and the White House, along with other officials of the
25 Executive Branch, are reviewing them prior to a decision by



1 the President concerning whether or not they should be made
2 available to the committee.

3 "In view of the very short time we have had to undertake
4 this review and the demands on the President's schedule, we
5 respectfully request additional time to respond to your
6 subpoena. We believe that one week from today should be suf-
7 ficient.

8 "Thank you for your cooperation.

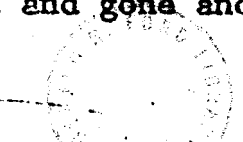
9 "Sincerely,

10 "Philip W. Buchen, Counsel to the President."

11 Mr. McClory. Mr. Chairman, I would like to move that we
12 defer for a week any further action with regard to that sub-
13 poena to see what develops between the staff and the White
14 House and determine whether or not we get the information or
15 whether we get to look at the information, or whether the
16 question of executive privilege is or should be raised and
17 that will give us time to determine what appropriate steps
18 we should take, if any.

19 Chairman Pike. Mr. McClory, I can't speak for the other
20 members of the committee, but I will only say I would be
21 inclined to go along with your motion, had it not been for
22 the fact that yesterday a member of the White House staff
23 told a member of our staff there was no way we were going to
24 get that information.

25 I think that the Bicentennial will have come and gone and



1 we will still be subpoenaing documents and expecting to get
2 the information contained therein. I am going to vote against
3 the motion.

4 Mr. McClory. Mr. Chairman, let me just say in response
5 to that, I initiated these subpoenas.

6 Chairman Pike. I am aware of that.

7 Mr. McClory. I am aware of the need for all of them
8 on the part of the staff and I am anxious that we get all of
9 the information we require for our files, all that we should
10 appropriately have, and that we are legally entitled to.

11 With regard to this particular material, I am not certain
12 at this point what the legal or constitutional aspects are.
13 I think it is something we should at least give a little
14 additional time to, so that the staff can see if they will
15 resolve it.

16 I might say the return date was very short with regard to
17 these subpoenas and I will be making a similar motion with
18 regard to the other subpoenas upon which there is not full
19 compliance, with the expectation that the matter will be
20 fully and finally and I hope satisfactorily resolved within
21 that extended period of time.

22 Chairman Pike. Mr. McClory, I would just like to say
23 this:

24 First, I am impressed by your candor in stating that you
25 initiated a subpoena as to which you now harbor legal and

1 constitutional doubts. The time frame apparently was not
2 quite as short as that which would ensue following the service
3 of the subpoena because I have reason to believe that the White
4 House had copies of the subpoenas before they were ever served.

5 Mr. McClory. If the Chairman will yield further on that
6 point, with regard to this particular subpoena, as I under-
7 stand, the subpoena, when issued, indicated State Department
8 approval of covert operations and, as I understand the
9 mechanics or the manner in which this is carried out --
10 although I am not entirely clear on it at this point -- but as
11 I understand the manner in which it may have been carried out,
12 it is a recommendation from the State Department which then
13 receives presidential approval and there may be a slightly
14 different issue involved than the mere issue of the State
15 Department itself, without presidential approval authorizing
16 or recommending covert operation.

17 Mr. Milford. Mr. Chairman, I am in agreement with you
18 insofar as the stance goes, but I am a little worried here
19 that our committee might be criticized for making our decision
20 based on a hearsay report from an unnamed staff member as op-
21 posed to reacting to an official letter.

22 Chairman Pike. If you would like the name of the staff
23 member, I have no hesitancy in giving it to you. He is in the
24 room.

25 Mr. Milford. I am talking about their staff member, not



1 ours.

2 Chairman Pike. So am I.

3 Mr. Milford. The letter itself stands as an official
4 communication and I think perhaps our reaction might best be
5 made to the official communication as opposed to hearsay that
6 goes in.

7 Second, I was a little concerned at the time these sub-
8 poenas were issued because of the volume and the material that
9 was subpoenaed, that perhaps even initially there wasn't
10 sufficient time for compliance. Maybe a week wouldn't be un-
11 reasonable.

12 Chairman Pike. I think we all know what is going on here.
13 You asked that we wait for another week -- and we can wait
14 for another week. You say that we ought to be concerned with
15 the official statements and, as I have indicated from the day
16 I got on the committee, the official statements always promise
17 cooperation. There has never been an official statement which
18 says, "In no way are you going to get this information."

19 But the fact of the matter is that we don't get the in-
20 formation and the unofficial staff level conversations are
21 usually more accurate than the official statements.

22 Mr. Milford. I agree with the Chair. I am simply
23 saying that perhaps the proper course might be to give them a
24 week and then send in the troops if you need to.

25 Mr. Johnson. I don't find the request for additional time



1 offensive from the point of view that they have got to get
2 to the President, but I cannot accept their notion that this
3 is material that falls within the area of executive privilege.

4 I just feel it is an extension of a doctrine which is un-
5 acceptable to me personally and I feel like we ought to get in-
6 to the record just exactly what we are talking about at this
7 point.

8 If you don't mind, I would like to direct some questions
9 to the staff.

10 Chairman Pike. Please proceed, Mr. Johnson.

11 Mr. Johnson. There is no problem with the classification
12 situation. They are raising no question about release of
13 classification is my understanding.

14 Mr. Field. That is apparently true. It is not being
15 withheld because it is too highly classified.

16 Chairman Pike. Who made the decision that this even falls
17 within the area of executive privilege?

18 Mr. Field. That apparently has not been raised.

19 Chairman Pike. They say the doctrine of executive
20 privilege can be raised or waived. Who made that decision?

21 Mr. Field. I think the only decision that was made was
22 to refer it to the Justice Department to see whether or not
23 there were such grounds for such a decision.

24 Mr. Johnson. Who made that recommendation, do you know?

25 Mr. Field. I don't know. I would assume the White House

1 Counsel's office.

2 Mr. Johnson. Do we know what the Justice Department
3 recommendation was?

4 Mr. Field. We do not know that.

5 Mr. Johnson. We don't know who made the advice from the
6 Justice Department to the White House as to the delay; we have
7 no information on that?

8 Mr. Field. That is right.

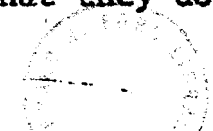
9 Mr. Kasten. I think this is the very question that has
10 been raised and it is the reason why the gentleman from Illinois
11 is asking for a week delay. They are not sure whether or not
12 to begin for the first time to invoke executive privilege
13 and they haven't been able to decide that and because that
14 decision hasn't been made they are asking for more time.

15 I think it is not correct when we say that you reject
16 the concept of executive privilege. Obviously there are
17 people in the Executive Branch who reject that as well and
18 are trying not to have to go through the Executive Branch.

19 Mr. Johnson. I don't want to argue with the gentleman.
20 He can have his own time. I want to get this on the record.
21 From whom are these documents and who are they? You need not
22 identify the persons but identify the offices.

23 Mr. Field. We have not seen the documents so I can't
24 answer that.

25 Mr. McClory. The other point involved is that they do

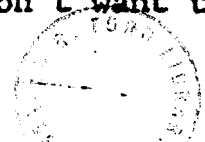


1 involve other administrations and other presidents and there
2 is a further question on executive privilege probably as to
3 whether or not one president can raise the issue of executive
4 privilege with regard to a prior president, or whether he wants
5 to.

6 Mr. Johnson. That is exactly my point. These documents,
7 as I am led to understand, were sent by one Secretary of
8 State in a previous administration to another President,
9 perhaps two presidents might be involved.

10 The doctrine of executive privilege, as far as I am
11 concerned, cannot be extended to anything in that situation.
12 The privilege was not asserted by the President, to whom
13 they were directed. They were left in the files after the
14 President left office -- which means as far as I am concerned
15 that they become public documents, which would prevent
16 President Ford from having the right to even consider that
17 they would not be made public.

18 We don't know whether the recommended action was carried
19 out in each instance and by saying that the doctrine of
20 executive privilege applies to communications from all
21 secretaries of departments to all presidents who have
22 previously served who did not assert the privilege to me is
23 an extension of the doctrine which I personally will not
24 accept and under these circumstances I don't feel like they
25 even have the right to waive the doctrine. I don't want to be



1 on the record personally as saying that the President has the
2 right to waive the doctrine because the doctrine does not apply
3 and I don't want to be on the record as giving any kind of
4 approval to that kind of doctrine.

5 Chairman Pike. Mr. Johnson, I would like to add -- first,
6 I agree wholly with your comments. I would just like to add
7 that it does seem to me that if they really wanted to cooperate
8 in the manner which they always allege they want to cooperate,
9 the letter which I received five minutes before this meeting
10 would have been received prior to the return date of the sub-
11 poena, which was last Tuesday. As of last Tuesday we had
12 received flat zero, nothing, on this subpoena. And conversation
13 indicating that we weren't going to get anything on this sub-
14 poena. So what I think we are getting is, at this point,
15 delay for the sake of delay.

16 Does anybody else wish to be heard?

17 Mr. Aspin.

18 Mr. Aspin. Mr. Chairman, let me ask you if Mr. McClory's
19 motion does not carry, what happens then? If they have not
20 complied with the subpoena by its date, where are we?

21 Chairman Pike. That is a question which I raised on the
22 day we issued the subpoena and the question becomes whether
23 this committee is going to do anything about it. I simply
24 don't know the answer to that question, Mr. Aspin. There are
25 some of us who apparently are more willing to do something



1 about it than others and I just plain don't know. That will
2 be a committee decision and not the Chair's.

3 Mr. Aspin. What are the options?

4 Chairman Pike. Nothing. That is always an option.

5 Another option is to do nothing and say in the report
6 that we did nothing and say our investigation was hampered
7 throughout its course by not only lack of cooperation, but by
8 straightforward refusals to comply with the subpoenas of the
9 committee.

10 A third option would be to go back to the House for a
11 resolution by the House, as we discussed doing with Mr. Colby
12 and decided to do and as we discussed doing with Mr.
13 Kissinger and decided not to do.

14 Another option would be a straightforward vote on con-
15 tempt of Congress, I suppose, by this committee.

16 Mr. McClory. I would be in much better position to
17 arrive at a decision as to what to do after I had this opportu-
18 nity to determine whether or not executive privilege is being
19 weighed, whether it is applicable, getting advice as to its
20 efficacy, whether it is available for one President to raise
21 with regard to another administration, and other aspects such
22 as that.

23 Meanwhile, it would be my hope certainly, if there is any
24 question about executive privilege, that the information we
25 are seeking would be made available notwithstanding the threat



1 of that doctrine being applied here.

2 Chairman Pike. Mr. Aspin, let me say I think, because of
3 our own time limitations today, I think it would be unwise
4 for the committee to vote on a course of action today,
5 immediately, right now, without having had this dialogue.

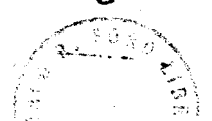
6 I would suggest if Mr. McClory's motion is defeated I
7 would probably call an additional meeting of the committee
8 tomorrow to vote or discuss a course of action.

9 Mr. Aspin. Thank you, Mr. Chairman.

10 Mr. Treaan. Mr. Chairman, it seems to me we need to
11 consider the totality of the subpoenas that were issued
12 just a few days ago in determining whether some delay now --
13 we should indulge some delay.

14 We asked for a great deal of material in these five sub-
15 poenas. I think the feeling is among several of us that the
16 time given was not very realistic considering the mass of
17 material and considering the difficulty of extracting a lot of
18 this material from a large volume of other records.

19 I understand it has been a very great task. I understand
20 people representing the Administration have met over the
21 weekend, on Saturday afternoon late; that one night they were
22 up until 4:00 a.m., going through material, and I think we
23 need to recognize that we are not dealing with just one sub-
24 poena here; that we are dealing with the five of them and that
25 we did impose a very large task on these people in getting



1 these materials in that short a period of time, so I hope
2 we will indulge some additional delay.


3 I would assume that the material that we have received
4 will keep our staff busy for the next several days. We have
5 enough to work on and it will not be any hardship to defer
6 this for another week. I hope the motion will carry and I
7 yield to Mr. McClory.

8 Mr. McClory. I want to say the Chairman has mentioned
9 several times about the lack of cooperation; that we don't get
10 cooperation.

11 I want to say very forthrightly, as I have said before,
12 I think we have had very, very good cooperation and the
13 criticism of the Director of the CIA has been that he has
14 been too forthright. He has been too forthcoming with regard
15 to this committee.

16 I have confidence myself that if we should have these
17 documents legally and constitutionally, we will have them, or
18 we will have the material which is contained in them which is
19 what we want insofar as our investigation is concerned.

20 With respect to other subpoenas about which we may have
21 discussion, I feel again we are going to get what we want and
22 what we need and the mere fact we haven't gotten it today
23 doesn't mean that it is not going to be secured. I think we
24 have been rather short in the period of time we have allowed
25 for the return and I would urge again, as I have before, and



1 I think successfully, cooperation on the part of the
2 Administration, which I think we have substantially received.

3 Chairman Pike. I would like to just address myself to
4 the question of the time which they have spent in getting these
5 documents together.

6 Actually they could have done it an awful lot faster
7 if they had provided the documents than if they had spent
8 the time deleting things from the documents. Because, if you
9 look at those things which have been received, large quantities
10 of time went into the business of hiding stuff from us rather
11 than providing stuff to us.

12 Mr. Aspin. Mr. Chairman, we are discussing but one sub-
13 poena at this point, but is there a similar problem with all
14 of them? Is that right?

15 Chairman Pike. As to this problem, we have nothing.
16 As to this subpoena, we have nothing. I think that while the
17 motion is going to be the same as to two other subpoenas, the
18 factual backgrounds are different.

19 Mr. Aspin. Is executive privilege the potential
20 problem in all cases?

21 Chairman Pike. No.

22 Mr. Aspin. But it is something like that.

23 Chairman Pike. No.

24 Mr. McClory. As I understand, there are some documents
25 that were not located until last night or this morning, which

1 I am quite sure the staff is going to be able to look at.
2 They just need the time to do that. There was a search made
3 for them. The representation was made to me at least what
4 we were looking for was not in the possession of the National
5 Security Council and I guess it was not in the possession of
6 the National Security Council, but it was at the White House and,
7 as I understand also, that material will be made available.

8 Chairman Pike. Are you ready for the question? The
9 question is on Mr. McClory's motion that we adjourn any
10 action on this subpoena to the State Department for one week.

11 All those in favor of the motion signify by saying "aye."

12 Contrary, "no."

13 The Chair is in doubt.

14 The Clerk will call the roll.

15 The Clerk. Mr. Stanton.

16 Mr. Stanton. No.

17 The Clerk. Mr. Dellums.

18 Mr. Dellums. No.

19 The Clerk. Mr. Aspin.

20 Mr. Aspin. No.

21 The Clerk. Mr. Milford.

22 Mr. Milford. Aye.

23 The Clerk. Mr. Hayes.

24 Mr. Hayes. No.

25 The Clerk. Mr. Lehman.



1 Mr. Lehman. No.

2 The Clerk. Mr. McClory.

3 Mr. McClory. Aye.

4 The Clerk. Mr. Treen.

5 Mr. Treen. Aye.

6 The Clerk. Mr. Kasten.

7 Mr. Kasten. Aye.

8 The Clerk. Mr. Johnson.

9 Mr. Johnson. No.

10 The Clerk. Mr. Pike.

11 Chairman Pike. No.

12 Mr. Glaimo votes no by proxy; Mr. Murphy no by proxy,
13 and Mr. Pike votes no.

14 By a vote of four ayes and nine noes, the motion is
15 not agreed to.

16 Mr. Field, will you discuss the next subpoena in doubt?

17 Mr. Field. I think it might be helpful to read the exact
18 language of the subpoena since it is fairly brief. It was for
19 "all 40 Committee and predecessor committee records of the
20 decisions taken since January 20, 1965, reflecting approvals
21 of covert action projects."

22 Now, Mr. Chairman, the background of this subpoena is
23 that there was a letter by you to the President in late
24 October asking that we be given access to these records. As
25 a result of that letter, we were given something which we did



1 not feel was adequate to do our investigation and that was just
2 a list of covert action approvals by date and two or three
3 words: "Media Project." That is all. They didn't tell us
4 anything about it.

5 What we were trying to determine was whether there is a
6 difference between the type of covert action and whether or
7 not covert action projects which are more questionable or which
8 get this country in more trouble are those which are directed
9 unilaterally by the President or by his advisor for National
10 Security Affairs, as opposed to those that are recommended
11 by either the State Department or the CIA.

12 In order to do this, we need to know the substance of
13 the projects that the President directs versus those that are
14 generated by the Intelligence Community and we need to have
15 the whole range of programs. We need not get into the "nth"
16 degree of detail, but we need to have a general idea of the
17 program, what it costs, how good was the decision-making
18 process, and where it takes place.

19 We began on Friday discussing this subpoena. On Saturday
20 we met with Colonel McFarland of the National Security Council.
21 We met with Mr. Charlie Leppert of the White House staff.
22 We discussed what we were referring to here. That it was not
23 all minutes of every meeting in the sense of verbatim
24 minutes, but rather a "minute," in a word-of-art sense,
25 which is a one or two-paragraph statement, usually, indicating

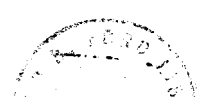
1 the approval of a covert action project by the National
2 Security Council's 40 Committee in the past few years and
3 prior to that the 303 Committee.

4 We also referred to documents we have received in one
5 or two projects of which the committee is aware, which are
6 these minutes and there seemed to be a general understanding
7 as to the type of document we were referring to.

8 It also appears that those documents comprise a stack of
9 documents, let's say an inch and a half thick, that they are
10 not truckloads of documents or file drawers full of documents
11 or anything like that. Those documents had been assembled
12 prior to this period in order to give us the materials which
13 we requested in late October, by your letter to the President,
14 Mr. Chairman.

15 There did not seem to be any particular time element in-
16 volved, or any particular question as to what documents
17 were involved.

18 As of Monday those documents began coming in and they
19 were extremely heavily sanitized, I suppose you might say.
20 I believe the committee has some samples in front of them of
21 a few pages from them which I do feel are representative of
22 the type of information which is left in these reports.
23 Frankly, there is probalby no reason for them to even be
24 classified secret any longer. Usually the information left
25 in merely says something like "A CIA proposal was approved on



1 April 16, 1973" and that is about it. It might even give
2 the participants in the meeting, or if there was a telephonic
3 situation, it might give the participants in that particular
4 discussion, which we could probably tell anyway from who was
5 on the committee.

6 Mr. McClory. You showed me all of these documents and I
7 went over them. It is my understanding that as far as your
8 investigation on behalf of the committee is concerned, and
9 inspection of the original documents, and the opportunity to
10 make such notes as are necessary in order to carry out this
11 objective -- not to get all of the secret information that may
12 be contained there, but to be able to identify different types
13 of covert operations and different manners in which these were
14 undertaken is really what you want to get from this material.

15 Is it also true that Jack Boos was designated from our
16 staff to go to the White House or Executive Office Building,
17 wherever this is? It was my understanding that was going to be
18 made available to him yesterday, but it was not made available.

19 Mr. Field. There are two events in that sequence that are
20 important.

21 First, I believe Aaron Donner was told night before last
22 if we came down to the White House yesterday morning these
23 documents would be available to us. He and Mr. Boos and
24 myself did go down to the White House --

25 Mr. McClory. And I requested they be made available --



1 to Mr. Boos, who identified it specifically.

2 Mr. Field. They were not available to us. There was
3 some confusion on that.

4 Later in the afternoon we sent Mr. Fred Kirschstein down
5 to the White House to specifically again -- if he couldn't
6 look at the documents -- to see if, for example, Colonel
7 McFarland could sit with an original set of documents on his
8 side of the table, we would sit with these documents and we
9 could ask questions: What was the nature of the project;
10 what was the country in which it took place; how much did it
11 cost; how was the decision made; what were the reasons for the
12 decision.

13 Literally none of that information was available to him.

14 I think we have tried to test every conceivable item of
15 information that could be added to this and I think we are
16 down at the point now where there really is not going to be
17 any further information.

18 Mr. McClory. I am not going to make any motion with
19 respect to this.

20 Mr. Kasten. You are trying to determine whether or not
21 the procedure of the checks and balances within the Executive
22 Branch works. That is, whether or not the decisions are being
23 made by the National Security Council, the 40 Committee, and
24 going through a system of checks and balances.

25 Mr. Field. It is a little more than that.



1 I think what we are trying to show here is, where that
2 process is used and honored, you generally tend to get a
3 better product.

4 Mr. Kasten. I understand there is more than 100 covert
5 operations during the time period we are talking about and there
6 a number of questions that have been raised about the details
7 of those covert operations. Our committee is not interested
8 in the details of those covert operations. Frankly, the com-
9 mittee isn't interested in the countries in many cases, but
10 we are interested in the process.

11 Mr. Field. I would also point out, Mr. Kasten, we have
12 not subpoenaed the ongoing and recent programs. We didn't
13 want to jeopardize those.

14 Mr. Kasten. Would there be a way where we could determine
15 whether the process is working without getting the details of
16 the 100 or more covert operations?

17 For example, would it be possible for you to draw up a
18 subpoena that would ask for them to deliver to us the minutes,
19 or the background of those decisions that were made for covert
20 operations that did not include a normal 40 Committee analysis
21 and review?

22 Would it be possible for you to put together some kind of
23 a subpoena like that which would mean that we would have to
24 take all of the information and all of the other ones?

25 Mr. Field. I understand what you are driving at. We



1 tried that briefly yesterday afternoon.

2 In other words, if we couldn't get this information, as I
3 would call it, about all of them, could we at least get the
4 information as to the ones the President had directed or his
5 advisor for National Security Affairs, where they had uni-
6 laterally undertaken covert action? And we did not get that
7 information.

8 Mr. Kasten. Did they refuse to give you that information?

9 Mr. Field. Yes.

10 The additional point I would make, however, is that it
11 may be difficult to make our analysis with just that infor-
12 mation because you have to have something with which to compare
13 it. You would not know whether those operations were better
14 or worse, more questionable or less questionable than the
15 other operations if you had nothing to compare them with.

16 You have to have at least a representative sample of the
17 other decisions that were made.

18 Mr. Kasten. But we don't need all of the decisions and the
19 details on all of the operations in any case?

20 Mr. Field. I am hesitant to say that we don't because
21 I would want to see in a negotiation what we would get.
22 Whether or not, for example, we would pick the random sample
23 from the non-presidential ones or whether they would be picked
24 by somebody else. At this point I would hesitate to say any-
25 thing on that.



1 Chairman Pike. If there is to be no motion from anyone
2 on this subpoena, Mr. Field, would you discuss the last and
3 perhaps the most controversial subpoena?

4 Mr. Field. The last subpoena, Mr. Chairman, is for the
5 information on the SALT Agreement compliance.

6 It reads: "All documents furnished by the Arms Control
7 and Disarmament Agency's standing Consultative Commission, the
8 Central Intelligence Agency, the Defense Intelligence Agency,
9 the National Security Agency, the Department of Defense, and
10 the Intelligence Community staff since May, 1972, relating to
11 adherence to the provisions of the Strategic Arms Limitation
12 Treaty of 1972 and the Vladivostok Agreement of 1974."

13 Chairman Pike. As to this particular subpoena, let me try
14 to paraphrase the issue as I understand it, simply in the
15 interests of saving time.

16 In my judgment, when our staff went down to the White
17 House yesterday, they were not told the truth about what infor-
18 mation was available. We are dealing with something here which
19 is highly controversial and it has to do, I suspect, with,
20 as far as we are concerned, the old question we have run into
21 time and time again of political judgments affecting intelli-
22 gence reporting, and what we have learned is that -- well,
23 what happened yesterday -- and correct me if I am wrong --
24 was that Mr. Donner and Mr. Field were told that certain
25 documents were not in the possession of the National Security

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One of the things of which we were aware was that there was at one point last month a letter requesting a meeting.

Mr. Field. Last fall, Mr. Chairman.

Chairman Pike. Last fall. I am sorry.

Requesting a meeting of the National Security Council and the representative of the National Security Council yesterday told Mr. Donner and Mr. Field that they had no copy of any such letter, and I believe that either they just were not telling the truth or there is a very high degree of gamesmanship going on on the question of who has possession of documents.

Mr. McClory. We did receive the official printed document on the monitoring of compliance with the SALT I Agreement?

Chairman Pike. We received a series of documents prepared by the United States Intelligence Board, or issued under the name of the United States Intelligence Board, which is the final conclusion reached by the United States Intelligence Board as to compliance with the SALT I Agreement.

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1 Mr. McClory. Well, we wanted those, too, did we not?
2 These are the detailed monitoring reports which we received.
3 I don't know whether the disclosure of those items is confi-
4 dential, but there is an additional item that we wanted, and
5 as I understood it, it was not received. It was my understand-
6 ing it would be made available, the document with respect to
7 alleged noncompliance.

8 This is more or less the subject of magazine articles
9 that have been written, one by former Secretary of Defense
10 Melvin Laird, who has commented on it, and Admiral Zumwalt
11 commented on it, and an article in Aviation Weekly delineates
12 the alleged noncompliances; and there is some official informa-
13 tion regarding this. That is what we wanted to look at. As
14 I understood, that was not made available yesterday. I under-
15 stand that it has been located and will be made available.

16 Mr. Chairman, the only motion I would make with regard to
17 this is that whatever action the Chairman may want to take on
18 this be deferred until tomorrow, because I think before we reach
19 the point --

20 Chairman Pike. Mr. McClory, I would simply say to you
21 that I am not proposing that we take any action on anything
22 before tomorrow.

23 Mr. McClory. I understand.

24 Chairman Pike. But let's make it clear that we sub-
25 poenaed all documents furnished by the Arms Control and

1 Disarmaments Agency's Standing Consultative Commission; we did
2 not get them. The Central Intelligence Agency, we did not
3 get them. The Defense Intelligence Agency, we did not get
4 them. The National Security Agency, we did not get them.

5 The Department of Defense, we did not get them, and the
6 intelligence community staff, and that, I think, is what you
7 would describe as the one document that we did get, was the
8 USIB reports on the subject.

9 Mr. Treen. That was the only thing.

10 Chairman Pike. Yes.

11 Mr. Johnson?


12 Mr. Johnson. Is it clear that the subpoena was directed
13 to the proper person who had custody of all these documents?

14 Chairman Pike. I believe that a subpoena addressed to the
15 Special Assistant to the President for National Security
16 Affairs is a subpoena addressed to the proper person. I
17 think that we are having games played with us as to who has
18 the documents. The documents our staff was told yesterday
19 were not there. They found them subsequently.

20 Mr. McClory. Could I ask one more question of counsel,
21 Mr. Chairman?

22 Chairman Pike. Certainly.

23 Mr. McClory. Again in this case would it be satisfactory
24 for purposes of your investigation to inspect the documents
25 and make notes with respect to it?

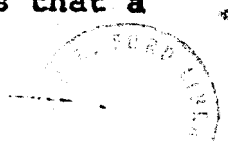


1 Chairman Pike. I would simply say before the counsel
2 responds that it might be satisfactory to the counsel, but
3 it would not be satisfactory to me.

4 Mr. McClory. Well, the reason I asked that is that these
5 subpoenas -- at least I supported the issuance of the sub-
6 poenas in order that the staff might make the full and appro-
7 priate investigation, and I am just inquiring as to whether
8 or not the investigation could be completed by examination of
9 the documents without physically delivering the documents to
10 the Committee.

11 I frankly am a little worried about this subject. The
12 SALT II agreements, while not currently underway, are still in
13 the offing, and it is an ongoing operation. I want to be very,
14 very careful about our getting involved in intelligence activi-
15 ties with respect to ongoing negotiations and at the same time
16 I want to be sure that the intelligence information which is
17 being secured is being utilized, is being reported accurately,
18 and that is why I think that the question of accuracy of faith-
19 ful reporting and appropriate utilization can be determined
20 without the physical delivery of highly sensitive documents
21 to this Committee.

22 Chairman Pike. Mr. McClory, I want to state a couple of
23 things. First, we are not looking at the negotiations on
24 SALT II. We are looking at the compliance of SALT I. I will
25 state what is only my personal judgment, and that is that a



1 political decision has been made that nobody is to allege
2 noncompliance with SALT I and why that political judgment has
3 been made, I don't know, but I believe it has been made.


4 I think that this Congress and the American people are en-
5 titled to know not the details of the negotiations of SALT II,
6 and we are not asking for any such thing, but we are entitled
7 to know whether there has, in fact, been compliance with SALT I
8 and whether there is, in fact, any substantial and documented
9 body of information indicating that there has not been compli-
10 ance with SALT I.

11 Mr. McClory. May I pursue my point, then, since you raise
12 that subject, Mr. Chairman?

13 The question of interpretation of SALT I is certainly
14 something not cut and dried; it is not so entirely clear that
15 no matter what the Soviets do you can say it is full compliance
16 or it is a deliberate noncompliance.

17 I think we get into a highly sensitive area if we are going
18 to sit here in judgment and second-guess the Secretary of
19 State or the President of the United States as to whether or
20 not we should enter into SALT II on the basis of whether or
21 not we feel that the Soviets have fully complied or that they
22 have partially complied and partially noncomplied with respect
23 to SALT I.

24 I know there have been some persons who appear to have
25 knowledge of this subject, former Secretary of Defense Laird,



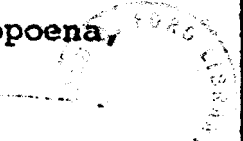
1 and Admiral Zumwalt, who charge that there have been aspects
2 of noncompliance, but even they caution or condition their
3 charges much more than you have, Mr. Chairman, on the basis
4 that they involve an interpretation of the agreements, and they
5 interpret the agreements one way and maybe we would interpret
6 them different.

7 But I don't think we want to sit here and second-guess
8 what the President or Secretary of State are doing on the basis
9 of our interpretation of this business of compliance or non-
10 compliance.

11 Chairman Pike. I am not suggesting that we second-guess
12 them. I am suggesting that we have access to what they say.
13 I would like to have access to what the Secretary of Defense
14 says. I do not propose to second-guess him. I would like to
15 know what he says.

16 Mr. McClory. Mr. Chairman, the reason I make the point
17 is this: I think what our charge and our responsibility is,
18 is to determine whether or not intelligence is being accurately
19 reported or whether it is being distorted, or whether it is
20 being colored in order to arrive at a political decision, and
21 that, I think, can be done by the staff examining this material
22 they would like to examine, which I think should be made avail-
23 able to them for the purpose of their investigation to enable
24 this Committee to complete its investigation in this area.

25 Chairman Pike. Well, when I supported your subpoena,



1 Mr. McClory, I supported it in the thought that it meant what
2 it said, which was that this Committee, and not Mr. Searle
3 Field, but the Congressmen who constitute the representatives
4 of the American people would get the information.

5 Mr. McClory. Mr. Chairman, I want the information. I
6 don't necessarily want it in any particular form. I don't
7 want to hold up for display or expose to the American people
8 a document that is a classified document, but I do want the
9 Committee to carry on its investigation and get the informa-
10 tion. It is the objective that I think we should seek and
11 not the form.

12 Chairman Pike. Mr. Milford.

13 Mr. Milford. Thank you, Mr. Chairman. First of all, I
14 do not agree with Mr. McClory's intention here that staff only
15 should examine these documents and further I do not believe that
16 we should in any way get involved with SALT II. But I agree
17 with the Chair that determination should be made whether or not
18 an intelligence input has been put down by a political per-
19 suasion.

20 Now further, Mr. Chairman, I am bothered by this sub-
21 poena --

22 Chairman Pike. I can only say you are not half as bothered
23 as a lot of other people are.

24 Mr. Milford. We may be a little bit wrong here, and that
25 is why I wanted to air it out. Some of the documents here I

1 question whether or not we got any business getting into.

2 For example, "All documents furnished by the Arms Control and
3 Disarmament Agency's Standing Consultative Commission."

4 Anything in the way of intelligence, I think we should be
5 able to get and be able to see and not have it screened,
6 sanitized, or anything else, but why do we need the "all
7 documents from the Arms Control and Disarmament Agency's
8 Standing Consultative Commission"? What bearing does that
9 have on intelligence?

10 Mr. Field. They are a primary consumer of intelligence,
11 if not the most important consumer in this country today.
12 They are one of the largest consumers of intelligence accord-
13 ing to our interviews with these people. Pretty much all of
14 their input comes either from intelligence or meeting with the
15 Russians in Geneva. That is all that they do, is handle
16 intelligence, and they would be the primary point at which
17 intelligence would either be sent back to be reevaluated or
18 would go forward for purposes of a complaint.

19 Mr. Milford. Should we modify that by intelligence input?
20 That agency may have a truckload of documents.

21 Mr. Field. All documents furnished by them relating to
22 adherence to the provisions of the Strategic Arms Limitation
23 Treaty of 1972 would be based one hundred percent on intelli-
24 gence.

25 Mr. Milford. Okay.



1 Mr. McClory. Would the gentleman yield?

2 Mr. Milford. Yes.

3 Mr. McClory. I would like to ask what is it that we have
4 received? We have received volumes of documents which contain
5 the reports on monitoring with regard to SALT I.

6 Mr. Field. That is a good question, Mr. McClory. We
7 sat down in the Situation Room at the White House yesterday
8 morning with Colonel McFarland, and he handed us this stack of
9 documents which --

10 Mr. McClory. What did you show me day before yesterday?

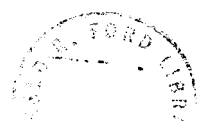
11 Mr. Field. These are the same ones.

12 Mr. McClory. I see.

13 Mr. Field. I maintained that this is all that the
14 National Security Council has relating to SALT compliance.
15 Now, we know that the National Security Council has, as a mem-
16 ber of it, a body called the Verification Panel. Their only
17 job in this world is to determine whether or not to verify
18 whether there have been violations of SALT I. They are
19 continually doing this. They are reviewing complaints today.
20 There is a substantial amount of information coming in to
21 them from various and sundry agencies.

22 We received no documents from the Verification Panel,
23 and it is a little hard to believe. He maintained there is
24 absolutely nothing in their files except for this.

25 Now we confronted him with the Schlesinger letter. As

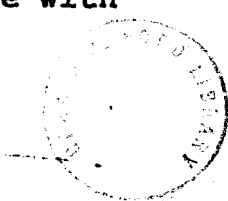


1 the Chairman said, the Secretary of Defense wrote a letter to
2 the National Security Council demanding a meeting because of
3 alleged violations. He got his meeting. There was that
4 letter; there was a memo on the meeting, and obviously memos
5 that came out of the meeting. We were told all of that has
6 been either destroyed or lost.

7 Mr. McClory. Would the gentleman yield further for this
8 one point, and that is this: Admiral Zumwalt might have had
9 access to that other information; former Secretary of Defense
10 Melvin Laird might have had access to that other information.
11 We can get the testimony from them, if you don't get the in-
12 formation you are requesting at the White House, through testi-
13 mony of witnesses; isn't that right?

14 Mr. Field. I think what we are looking at is not so much
15 sometimes the information as it came in, but rather as it went
16 back. We established through interviews yesterday that the
17 Verification Panel that I speak about has sent reports back to
18 CIA for reevaluation.

19 Now, it is important to us to know why they went back and
20 what the instructions were, and so forth. None of these docu-
21 ments, none of this information, was provided to us. I think
22 the most disturbing thing was that we were told categorically
23 that this small set of documents is all that the National
24 Security Council has that even relates to compliance with
25 SALT I.



1 Mr. McClory. I want to say, Mr. Chairman, I don't pro-
2 pose to offer a motion on this on the grounds that I would
3 hope --

4 Chairman Pike. Mr. Milford, please continue. I don't
5 think there is going to be any motion as to this. We will have
6 a meeting, and I announce to the members of the Committee
7 right now, we will have a meeting at ten o'clock tomorrow morn-
8 ing for the purpose of discussing what action we will take on
9 the subpoenas which have not been complied with.

10 Mr. Treen. Is that intended to be an open meeting tomor-
11 row morning? You will start in open session?

12 Chairman Pike. Yes; I don't see any reason why that
13 shouldn't be an open meeting.

14 Mr. Treen. At that time, Mr. Chairman, I would like to
15 state for the information of the Chairman and members, I
16 intend to raise the issue of security within the Committee and
17 the staff, and that ^{is} prompted by another report from the
18 London Observer carried in the Washington Post this morning,
19 and I think we need to address that issue. I will defer that
20 until tomorrow, but I think it needs to be addressed at that
21 time.

22 Chairman Pike. The Committee will now proceed to the
23 hearing which we had scheduled for this morning on the subject
24 of the Drug Enforcement Agency.

25 Mr. Milford?



1 Mr. Milford. I ask unanimous consent to address the
2 Committee for one minute out of order.


3 Chairman Pike. Without objection.

4 Mr. Milford. Mr. Chairman, I spent the weekend studying
5 the very comprehensive option papers and briefing that have
6 been produced by our committee staff.

7 With absolutely no reservations, this is the best piece
8 of staff work I have seen during my tenure in Congress. As
9 far as I am concerned, Mr. Field and the remainder of the staff
10 have accomplished the impossible. While we have been spending
11 our time in considerable detail with secrets, I do not think
12 that I would be revealing one if I stated that this Committee
13 has a rather wide divergence of political philosophy within
14 its membership. The staff did a commendable job in recogniz-
15 ing and verbalizing the intelligence problems that we are
16 faced with in this Committee. The in-depth research of the
17 various aspects of the problems are obvious in this report.

18 With absolutely no bias that I can detect, the staff papers
19 clearly outline options that can reflect the basic philosophies
20 of any member of this Committee.

21 Furthermore, the very existence of such a written docu-
22 ment along with the Chair's repeated requests for individual
23 Committee member recommendations makes each of us a true partner
24 in whatever product this Committee turns out. It also makes
25 each of us responsible for that product and mandates the needed



1 compromise that would be necessary from such a politically
2 divergent group. The excellent staff work should assist us in
3 bridging that gap.

4 I would personally like to thank the Chairman for his
5 fairness in including all members in full participation in all
6 activities of this Committee.

7 Mr. Chairman, I would also like to commend Mr. Field and
8 the staff for this very excellent work that is evident in the
9 briefing materials that have been supplied to members. If
10 any particular staff member or members were responsible for
11 this work, I would ask Mr. Field to make their names known to
12 all members of the Committee.

13 Chairman Pike. Mr. Field, I don't know whether you heard
14 that, but that was a fine and, in my judgment, well-deserved
15 accolade. If the other members of the Committee haven't
16 looked at this decision book or option book that has been
17 sent around, I really suggest that you do.

18 What Mr. Milford requested was that the members of the
19 staff who were responsible for preparing it be made known to
20 the members of the Committee.

21 Mr. Field. Mr. Chairman, if I could comment, I think the
22 compliments should go to Stanley Bach and Cathy Schreuer and
23 Jody Schriber, who have worked on this, and I think they are
24 properly directed to them. It is a fine job.

25 (Whereupon, at 10:10 a.m., the Committee proceeded to
other business.)