

# **PART I**

*WHAT THE RELATIONSHIP WAS LIKE*

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# CHAPTER 1

## *THE NATURE OF THE RELATIONSHIP, 1946–76*

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This chapter describes the relationship between the Agency and Congress from the establishment of the Central Intelligence Group in 1946 until the creation of the select committees on intelligence in the mid-1970s. It focuses upon the institutional arrangements that Congress put in place to oversee and provide funding for the Agency during this period, the episodes that produced challenges to those arrangements, and the policies and procedures that each side instituted during this period to govern its relationship with the other.

### **The Central Intelligence Group (1946–47)**

At the end of the Second World War, President Truman, prompted by a desire to avoid another Pearl Harbor, decided to create, for the first time in the nation's history, a permanent, peacetime intelligence capability outside of the military. He did this in January 1946, in the form of a letter addressed to the secretaries of state, war, and the navy. The new organization would be known as the Central Intelligence Group (CIG), headed by a director of central intelligence (DCI). It would serve as the "action arm" of a "National Intelligence Authority" composed of the aforesaid secretaries as well as a representative of the president. CIG would collect, analyze, and disseminate intelligence, according to Truman's directive, and would receive its staff and funding from the Departments of State, War, and the Navy. Truman established the CIG without consulting Congress or obtaining congressional approval.<sup>1</sup>

Prior to this, intelligence organizations within the US government had always been tied to the military, often created to deal with a particular war or crisis only to wane and disappear from the scene after the war or crisis was over. Even the wartime predecessor of the CIG—the civilian-run Office of Strategic Services (OSS)—had been placed under the jurisdiction of the Joint Chiefs of Staff and had taken its marching orders from them.<sup>2</sup> As such, intelligence organizations had until this point received little scrutiny from the Con-

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<sup>1</sup> Leary, *The Central Intelligence Agency*, 18-21; Pforzheimer interview, 9 July 1996, 2.

<sup>2</sup> Troy, *Donovan and the CIA*, 423, 427–28, 431–34, 436–42.

gress. Their appropriations were part of a larger appropriation for the military, and any inquiries concerning their activities would be answered by their military superiors.<sup>3</sup> In short, there was no need for Congress to establish an oversight arrangement for intelligence activities apart from that already in place for the military.

With the creation of the CIG, however, the need appeared to change. While CIG largely managed to avoid interacting with Congress during most of its short existence,<sup>4</sup> it found the need to engage over its first budget. CIG funding was concealed in the budgets of the State, War, and Navy Departments, but these funds had to be identified and justified to the House and Senate Appropriations Committees. In early 1947, DCI Hoyt Vandenberg sought, on grounds of security, to have the CIG's funding request considered by a much smaller subset of the two committees. Although objections were initially heard on the House side, both appropriations committee chairmen—John Tabor (R-NY) in the House, and Styles Bridges (R-NH) in the Senate—ultimately accommodated Vandenberg by appointing small, ad hoc subcommittees to hear the CIG's budget request for FY 1948.<sup>5</sup> CIG subsequently denied budgetary information to other members of Congress on the basis they were not on these special subcommittees.<sup>6</sup>

Even with this limited review of the CIG's budget request, Congressman Tabor later bemoaned to Secretary of State George Marshall that he had had to deal with 26 people in Congress in order to secure the FY 1948 appropriation for CIG. Marshall agreed that in the future, "knowledge of that [CIG] fund and an accounting of it" should be "confined to a very few congressional leaders." Indeed, Marshall reportedly said that Tabor believed "the allotment of funds for intelligence activities should be appropriated in a lump sum and controlled by one person."<sup>7</sup>

Apart from this interaction over its initial budget request, there were stirrings in Congress within months of Truman's having created the CIG that the new agency should have independent statutory authority as well as its own budget. Indeed, bills to accomplish this were introduced in both the House and Senate the year CIG was created.<sup>8</sup>

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<sup>3</sup> *Ibid.*, 436-42.

<sup>4</sup> The CIG's second in command at the time, COL E.K. Wright, told his staff to avoid contact with Congress where possible. "A good rule is this," he wrote, "never initiate letters to Members of Congress." Quoted in unpublished CIA draft manuscript, Vol. I, 6, hereinafter cited as "CIA draft study" together with the appropriate volume number and page number.

<sup>5</sup> CIA draft study, Vol. I, 7.

<sup>6</sup> *Ibid.*

<sup>7</sup> Barrett, *CIA and Congress*, 21, 23.

<sup>8</sup> *New York Times*, 18 December 1946, 12.

Meanwhile, the first DCIs, Sidney Souers and Vandenberg, during their short tenures, came to the same conclusion. CIG needed its own budget, as well as its own personnel authorities.

Congress, moreover, had enacted legislation in 1944 that in effect provided that any independent agency created by executive order that was to last more than a year needed its own appropriation.<sup>9</sup> While CIG lawyers had begun drafting authorizing legislation for the agency in the fall of 1946, nothing had yet come of it. By the beginning of 1947, in fact, CIG was technically in violation of the law. The Bureau of the Budget (the predecessor of the Office of Management and Budget) ruled, however, that CIG could continue operating inasmuch as it intended to seek statutory authorization later in the year.<sup>10</sup>

Coincidentally, the White House had initiated an effort in January 1947 to draft legislation to provide for the unification of the military services under a new Department of Defense. This provided an opportunity for Vandenberg to recommend provisions be added to the bill giving CIG independent statutory authority. He also wanted CIG to have its own appropriation, authority to hire and fire its own personnel, and authority to protect its sources and methods.<sup>11</sup>

While Vandenberg did not get all he wanted into the bill, after several months of hearings and limited floor debate in both houses, the National Security Act of 1947 passed Congress on 25 July.<sup>12</sup> Section 202 of the act provided for the establishment of an independent Central Intelligence Agency that would collect, analyze, and share intelligence across the government and “perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.” President Truman signed the bill into law the following day.

### **The Early Oversight Arrangements: 1947–56**

Most of the congressional hearings regarding the creation of the CIA were closed to the public, and what floor debate occurred with respect to section 202 centered on CIA’s domestic role and on the appointment of its director rather than its operational role overseas. Even in these formative stages, Professor Barrett notes, “a strong sense emerged [in Congress] . . . that only a handful of legislative leaders should know much about . . . the CIA.”<sup>13</sup>

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<sup>9</sup> This law was known as the Independent Offices Appropriations Act for Fiscal Year 1945.

<sup>10</sup> Pforzheimer interview, 9 July 1996, 16–19, 48–49, 68–69.

<sup>11</sup> Lyle Miller, *Legislative History of the Central Intelligence Agency: National Security Act of 1947*, 33–36.

<sup>12</sup> Chapter 5 contains a discussion of the key issues raised with respect to the bill.

<sup>13</sup> Barrett, *CIA and Congress*, 20.

Once CIA was a reality, of course, Congress had to decide how to deal with it, if only to determine which committees would authorize and appropriate funds for it each year. As a practical matter, though, this occurred almost by default. It was apparent, to begin with, that the appropriations committees on each side would have responsibility for the CIA appropriations. It was also apparent that the Senate Armed Services Committee (SASC), which had handled the authorizing legislation on the Senate side, would claim jurisdiction over the agency it had created. On the House side, however, the Committee on Expenditures in the Executive Departments (a predecessor of the Committee on Governmental Affairs) had handled the authorizing legislation and might have asserted jurisdiction. It chose not to do so, however, allowing jurisdiction over the CIA to pass quietly to the Senate committee's counterpart, the House Armed Services Committee (HASC). All of this happened without formal action by either house.<sup>14</sup>

Principal responsibility for the CIA thus fell to some of the most, if not the most, powerful members of Congress at the time—the chairmen and ranking members of the appropriations and armed services committees on each side. Protected by a congressional seniority system that kept them in place as long as they kept getting elected, most stayed in their positions for many years, and the longer they stayed, the greater their influence became. From 1951 until 1969, for example, the SASC had only two chairmen: Richard Russell (D-GA) in 1951–53 and again in 1955–69; and Leverett Saltonstall (R-MA) in 1953–54. The Senate Appropriations Committee (SAC) had but three chairmen during this period: Kenneth McKellar (D-TN) in 1949–53; Styles H. Bridges (R-NH) in 1953–54; and Carl Hayden (D-AZ) in 1955–69. A similar situation obtained in the House of Representatives. Carl Vinson (D-GA) chaired the HASC from 1955 until 1965 and was succeeded by L. Mendel Rivers (D-SC), who served until 1971. Clarence Cannon (D-MO) chaired the House Appropriations Committee (HAC) from 1955 until 1964; his successor, George Mahon (D-TX), served until 1976. [See Appendix B for a complete listing of the committee chairmen with responsibility for the CIA.]

Limiting even further the number of members exposed to the Agency's operations during this early period was the fact that several of the legislators involved served on both the armed services and appropriations committees of their respective bodies. The most conspicuous example was Senator Russell, who served as a member of the SAC the entire time he chaired the SASC. When he finally gave up the chair of the SASC in 1969 to Senator John Stennis (D-MS), Russell became chair of the SAC, swapping places with Stennis who had been its chair.

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<sup>14</sup> *Ibid.*, 26; Pforzheimer interview, 9 July 1996, 84–85.



Senators Richard Russell (I) and Leverett Saltonstall. Between them, they chaired the powerful Armed Services Committee for 20 years, 1951–70.

(US Senate Historical Collection)

Whatever their party affiliation, virtually all the men who chaired these powerful committees had attained their positions because they were supporters of a strong national defense. Where foreign affairs were concerned, they were inclined to support the president. All had been through the Second World War and now, like the rest of the country, faced a growing but uncertain threat from the Soviet Union. The introduction to the 1954 report of the Doolittle Commission (see page 11) provides an apt description of where most of them were coming from.

*It is now clear that we are facing an implacable enemy whose avowed objective is world domination by whatever means and at whatever cost. There are no rules in such a game. Hitherto acceptable norms of human conduct do not apply. If the U.S. is to survive, longstanding American concepts of "fair play" must be reconsidered. We must develop effective espionage and counterespionage services, and must learn to subvert, sabotage and destroy our enemies by more clever, more sophisticated and more effective methods than those used against us. It may become necessary that the American people be made acquainted with, understand and support this fundamentally repugnant philosophy.<sup>15</sup>*

The CIA, of course, was the agency Congress created to bear the brunt of this “fundamentally repugnant” mission, and as far as its overseers were concerned, it needed a certain latitude to do its work. As Senator Russell told his Senate colleagues in 1956, if there were one agency of the government whose activities “had to be taken on faith,” it was the CIA.<sup>16</sup> Above all, it was important to members like Russell that Congress—which they knew to be a political, and at times a chaotic, institution—not make CIA’s job any harder. At all costs, its operations must be protected.

To ensure security, each of the four committees involved in overseeing the Agency initially adopted similar organizational arrangements. Ad hoc, undesignated subcommittees were created in each committee to handle the CIA. The chairman and ranking member of the full committee made themselves chairman and ranking member of the subcommittee, and asked a few members from the full committee in whom they had particular trust to join them. During 1951–52, the informal subcommittee in the SASC that handled the Agency consisted of five senators. When the Republicans gained control in 1953–54, the subcommittee was reduced to just three: the chairman and ranking member of the full committee, plus one. In the beginning, these informal subcommittees were supported by only one or two staff members, who were typically senior staff from the full committees. When control of the House or Senate shifted between the parties, these staff members remained involved, at times even staying in the same position.<sup>17</sup>

Precisely because the leaders of the CIA subcommittees were also the leaders of the full committees, they had many demands on their time. Not surprisingly, formal meetings of the subcommittees during this early period were rare. The CIA subcommittee of the SASC, for example, met only once during 1951.<sup>18</sup> When the subcommittees did meet, it was always in secret, often convened on short notice by word of mouth, and the venue was varied in order not to attract attention. Typically, no transcripts were made. Often the only record of such meetings was a memorandum that one of the Agency participants prepared.<sup>19</sup> Since none of the subcommittees had places to store classified information, any documents made available to the members—and any notes taken by members—were returned to the CIA for safekeeping.

Apart from these practical limitations, formal meetings were not seen by either side as the place for sensitive matters to be dealt with. As one partici-

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<sup>15</sup> Quoted in CIA draft study, Vol. II, 1.

<sup>16</sup> Barrett, *CIA and Congress*, 225.

<sup>17</sup> *Ibid.*, 26–27.

<sup>18</sup> CIA draft study, Vol. 1, 38.

<sup>19</sup> Warner interview, 27 September 1996, 42.



Meeting of the Senate Armed Services Committee, probably from the mid-1960s. From the left are Senators Stennis, Russel, Smith, Thurmond, and Saltonstall.

Stennis, Russell, Smith, and Saltonstall were members of SASC's CIA subcommittee. Stennis, Russell, and Saltonstall were also members of the Appropriations Committee, with the latter two also being members of the SAC's CIA subcommittee.

(US Senate Historical Collection)

pant, Senator Saltonstall, later recalled, the meetings were “dominated by the committee chairmen. . . . Members would ask few questions which dealt with internal agency matters or with specific operations. The most sensitive discussions were reserved for one-to-one sessions between [the DCI] and individual committee chairmen.”<sup>20</sup> The tête-à-têtes Saltonstall is referring to would sometimes take place at the members’ offices or after work, at their residences, or over breakfast or lunch at the Agency, whenever they could be worked into the members’ busy schedules. While the committee chairmen accepted their responsibility to put through the Agency’s appropriation each year—a responsibility seen to by their respective staffs—they had neither the time nor the interest in plumbing the details of its budget.

“There were very loose reins on us at the time,” CIA legislative counsel Walter L. Pforzheimer later recalled, “because the Congress believed in us and

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<sup>20</sup> Ranelagh, *The Agency*, 282.



what we were doing. It wasn't that we were attempting to hide anything. Our main problem was, we couldn't get them to sit still and listen."<sup>21</sup>

Despite the difficulty the Agency often had in getting the attention of its overseers during this early period, it never took them for granted. They might be too busy to see the DCI, but the DCI had better not be too busy to see them. Above all, the Agency knew the chairmen of its subcommittees did not want to be surprised. They may not need to know the details of what the Agency was doing, but they wanted to know enough, if an operation came to light, that they could say they had known about it. For the most part, they relied upon DCIs to tell them what they needed to know.

They also jealously guarded their role over the Agency, objecting to any effort from the outside to impose broader, more intrusive oversight and seeing to it that other congressional committees did not cause problems. In 1948, for example, the Agency, supported by its overseers in the Senate, resisted an invitation by Senator Harry F. Byrd Sr. (D-VA), to meet with the Joint Committee on Reduction of Nonessential Federal Expenditures that was looking at across-the-board reductions in the size of government agencies. According to the notes of the Agency's legislative counsel at the time, "Nothing can be served by such a meeting since Byrd's committee has no jurisdiction over CIA's affairs."<sup>22</sup>

In 1950, the Agency, again with the support of its Senate overseers, was able to avoid an inquiry by the Senate Expenditures Committee into efficiency in the executive branch departments in general.<sup>23</sup> The Agency had more difficulty dealing with the repeated assaults of Wisconsin Senator Joseph R. McCarthy during the early 1950s, in part because of the fervor McCarthy generated in the Senate as a whole and in part because certain of the Agency's overseers in the Senate—notably Senator Bridges, chairman of the SAC during part of this period—supported McCarthy's efforts to root out communists and homosexuals in the government. While others among its congressional overseers provided quiet support, the Agency was essentially left on its own to fend off McCarthy's charges and resist his efforts to investigate the Agency. For the most part, it was able to do so.<sup>24</sup>

Most members of Congress during this early period were oblivious to the oversight arrangements that had been put in place for the Agency. The Agency did not appear on their "radar screens" at all. Of those who were aware, most

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<sup>21</sup> Pforzheimer interview, 11 January 1988, 16.

<sup>22</sup> CIA draft study, Vol. I., 29.

<sup>23</sup> *Ibid.*, 39.

<sup>24</sup> For a more detailed description of the Agency's dealings with Senator McCarthy, see chapter 10, and Barrett, *CIA and Congress*, 64–81, 177–96.

seemed content to let the powerful members who controlled the oversight subcommittees run the show where CIA was concerned. Occasionally, though, members who were not on one of the Agency subcommittees got into the act, typically after an Agency failure had become public. In fact, as early as April 1948—less than a year after CIA was created—after allegations appeared in the press that CIA had failed to warn of rioting in Bogota that had threatened US diplomats (see chapter 7), a resolution was introduced in the House calling for creation of a joint intelligence committee of nine senators and nine congressmen to replace the existing structure. The congressman who introduced the resolution, Edward J. Devitt (R-MN), even claimed that DCI Roscoe Hillenkoetter had approved the idea; the resolution went nowhere.<sup>25</sup>

In time, however, as the number of the Agency's actual or perceived failures began to mount—for example, the failure to predict the Soviet atomic bomb test in 1949 and the failure to predict the invasion of South Korea by the North in 1950—and members became increasingly aware of just how large the Agency had grown in a short period of time (see chapter 6), doubts about the efficacy of the existing oversight arrangements began to appear with greater frequency.

### **The Mansfield Resolutions: 1953–55**

The first sign of serious discontent appeared in the Senate in 1953, when a first-term Senator from Montana, Mike Mansfield, offered a resolution to replace the current system with an 18-member joint committee on intelligence, akin to the Joint Atomic Energy Committee (JAEC), which at the time was the focal point in Congress for matters relating to nuclear weapons. This was a disciplined committee with a professional staff, whose competence and ability to keep secrets made it a preferred model for Mansfield. His resolution, however, attracted little attention and even less support among his colleagues. DCI Allen Dulles took no public position on the proposal and, based upon the assurance he had received from SASC Chairman Saltonstall, confidently predicted to insiders at the Agency that the bill would never make it out of committee.<sup>26</sup>

While Saltonstall proved true to his word, Dulles became concerned that unless the existing oversight committees did something more to assert their institutional role over the CIA, Mansfield's resolution might attract greater support over time. Accordingly, in January 1954, he suggested to Saltonstall and HASC Chairman Dewey Short (R-MO) that they formally designate CIA

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<sup>25</sup> Barrett, *CIA and Congress*, 38–39.

<sup>26</sup> *Ibid.*, 172–73; CIA draft study, Vol. I., 47.

subcommittees that would meet regularly to review the Agency's activities. Neither initially expressed interest in Dulles's suggestion.<sup>27</sup>

But in March 1954, when Mansfield introduced his joint committee resolution for a second time—this time calling for a 10-member committee—he accompanied his proposal with a critique of the Agency and its congressional overseers, indeed, the most withering critique that had been heard in either house to that point. “Until we create some sort of ‘watchdog’ committee,” Mansfield concluded, “we will have nothing but continued anxiety about the Central Intelligence Agency and its widespread activities.”<sup>28</sup> Apparently stung by this criticism, Saltonstall agreed with Dulles's earlier suggestion that he formally designate a subcommittee on CIA affairs. He also immediately scheduled a hearing with the DCI. Citing these innovations to the Senate Rules Committee a few weeks later, Saltonstall succeeded in derailing the Mansfield resolution for a second time.<sup>29</sup>

CIA officials continued to worry, however, that unless Congress perceived that the Agency was subject to credible oversight from the outside, Mansfield's proposal might eventually carry the day. To provide such credibility, CIA agreed, in June 1954, to submit to an investigation of its “structure and administration” by a special task force of the Government Organization Commission chaired by former President Herbert Hoover. Congress had established the Hoover Commission, as it was known, to review government organization as a whole, and by submitting itself to review by one of its task forces (headed by retired general, Mark W. Clark), the Agency hoped to deflect further reform efforts within Congress.<sup>30</sup> This strategy ultimately backfired, however, when the Clark task force—whose report would go to the Congress—decided that it needed to look into CIA's operational activities. To preempt this effort, President Eisenhower, at Dulles's urging, instituted a separate investigation, headed by LTG James H. Doolittle, to delve into this area. Completing its work well ahead of the Clark task force, the Doolittle Commission publicly stated that while there were areas for improvement, overall, the Agency was doing “a creditable job.” The Clark task force, which reported a few months later, expressed concern over the “lack of intelligence data from behind the Iron Curtain”—a comment that caused considerable consternation within the Agency itself—but in the end the task force also gave the Agency a modestly favorable review in its public report.<sup>31</sup>

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<sup>27</sup> CIA draft study, Vol. I, 48.

<sup>28</sup> Barrett, *CIA and Congress*, 174.

<sup>29</sup> CIA draft study, Vol. I, 48.

<sup>30</sup> *Ibid.*, 49.

<sup>31</sup> Barrett, *CIA and Congress*, 211–13.

When it came to the oversight arrangements for the CIA, the Clark task force, came up with a new suggestion: that a small, bipartisan committee composed of respected lawmakers and “public-spirited citizens” be set up to oversee the Agency. The larger Hoover Commission, of which the Clark task force was a part, preferred Mansfield’s approach, recommending as part of its June 1955 report, that Congress establish a joint intelligence committee.<sup>32</sup>

For a while in late 1954, DCI Dulles actually entertained endorsing the concept of a joint committee, but the hostility of President Eisenhower to the idea (he intensely disliked the JAEC) reportedly put an end to any further thoughts of this nature. In a public speech delivered in January 1955, Dulles said the Agency preferred the existing oversight arrangements to a joint committee.<sup>33</sup>

On 15 January 1955, Mansfield offered his joint committee resolution for a third time. This time it provided for a committee composed of 12 members, all of whom would be currently serving on one of the CIA subcommittees and would be supported by an independent professional staff. In introducing the resolution, Mansfield denounced what he saw as CIA’s immunity from “regular, methodical review” by the Congress. In describing his intent to the *New York Times*, Mansfield said he had “no desire to pry into necessary secrets of the CIA” but only wanted to reform the current “hodgepodge system” of infrequent and cursory oversight.<sup>34</sup>

CIA officials spent the balance of the year trying to bolster oversight (and the perception of oversight) by the SASC and HASC. At the urging of Dulles, the HASC chairman, Carl Vinson, designated a special subcommittee to handle CIA affairs, while Senator Russell, who had regained the chairmanship of the SASC as a result of the mid-term elections, continued the practice begun a year earlier by then-Chairman Saltonstall. Indeed, in February 1955, Russell for the first time publicly revealed the existence and membership of the subcommittee, declaring that it had kept a “close check” on CIA for some time.<sup>35</sup> Not all in Congress were persuaded by these machinations, however. For example, the chairman of the House Judiciary Committee, Emmanuel Celler (D-NY) announced his support for the joint committee proposal in November 1955, and longtime CIA supporter Senator Harry Byrd conceded that even he was wavering.<sup>36</sup>

In the face of the Hoover Commission’s endorsement of the joint committee proposal and what appeared to be growing sentiment for it within Congress,

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<sup>32</sup> Barrett, *CIA and Congress*, 213.

<sup>33</sup> *Ibid.*, 209–10.

<sup>34</sup> CIA draft study, Vol. I, 51.

<sup>35</sup> Barrett, *CIA and Congress*, 210–11; CIA draft study, Vol. I, 51–52.

<sup>36</sup> CIA draft study, Vol. I, 52.

Dulles met with Eisenhower in August 1955 to confirm the president's continued opposition to the idea. Dulles expressed his concern that a joint oversight committee with a permanent staff, allowed to probe deeply into Agency operations, would inevitably create a problem. Not only were there security risks involved, Dulles argued, but such probing would "tend to create doubt abroad as to the security of the United States' handling of material handed over by foreign sources, and would result in the inevitable stoppage of [the] flow of certain sensitive information." Dulles apparently had little difficulty convincing Eisenhower, who had long opposed the idea.<sup>37</sup>

### Debate in the Senate: 1956

When the Senate reconvened in January 1956, the third version of the Mansfield resolution was still pending.<sup>38</sup> By this point, fully a third of the Senate had signed on as co-sponsors, including many members of non-CIA subcommittees on the SASC as well as the ranking member of the SAC. Fearing the resolution could garner even more support, Dulles encouraged Senator Russell to hold another meeting of the CIA subcommittee as "a good psychological move" in terms of arguing against the need for a joint committee. He also provided talking points for supportive members to use in speaking against such a committee.<sup>39</sup>

On 16 January 1956, Russell wrote to the chairman of the Senate Rules Committee, where the resolution had been referred.

*It is difficult for me to foresee that increased staff scrutiny of CIA operations would result in either substantial savings or a significant increase in available intelligence information. . . . If there is one agency of the government in which we must take some matters on faith, without a constant examination of its methods and sources, it is the CIA.<sup>40</sup>*

For his part, President Eisenhower sought to head off the Mansfield resolution by creating an eight-member White House board to do oversight of the CIA and other intelligence agencies: the President's Board of Consultants on Foreign Intelligence Activities. Rather than assuage the concerns of Mansfield and others in the Senate, however, some saw the creation of the White House

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<sup>37</sup> CIA draft study, Vol. I, 53.

<sup>38</sup> For a detailed description of this episode, see Barrett, *CIA and Congress*, 223–33.

<sup>39</sup> CIA draft study, Vol. I, 55.

<sup>40</sup> Smist, *Congress Oversees*, 6.

board as a signal from the administration that Congress was not up to the job itself.<sup>41</sup>

Indeed, when the Senate Rules Committee considered the Mansfield resolution later the same month, it shocked the administration as well as the Agency's overseers on the Hill by reporting the resolution to the floor by a 7–2 vote. Among other things, the majority report stated,

*The CIA has unquestionably placed itself above other government agencies. There has been no regular methodical review of this agency, other than a briefing which is supplied to a selected few members of selected such [sic] committees.*<sup>42</sup>

This unexpected action by the Rules Committee led Eisenhower and Dulles to redouble their efforts to ensure the Mansfield resolution never became law. In the Senate, Eisenhower sent word to the Republican Policy Committee that he was “very much opposed” to the resolution because intelligence operations were “the most delicate things in the Government . . . too sensitive for Congress to take up.”<sup>43</sup> Again, however, the suggestion that Congress lacked the competence to handle sensitive matters annoyed several Republican senators. The president received a more favorable reaction in the House, where House Speaker Sam Rayburn (D-TX) as well as Majority Leader John McCormack (D-MA) supported his position. HASC Chairman Carl Vinson also circulated a letter to all House members explaining his opposition to the joint committee. One by one, the congressmen who had earlier expressed support for the proposal began signaling their opposition to it in their public statements.<sup>44</sup>

Notwithstanding the diminishing prospect that the House would ultimately go along with the Mansfield resolution, the Senate as a whole took it up on 9–10 April 1956—the first and only time prior to 1976 that the existing oversight arrangements for the CIA were actually debated on the floor of the House or Senate. As one would expect, the debate featured the proponent of the resolution (Mansfield) engaging the principal defenders of the status quo—in this case, the chairman and ranking member of the SASC, Senators Russell and Saltonstall, respectively.

During the first day of debate, Mansfield came right to the point and asked Saltonstall how many times the CIA had requested meetings with its oversight subcommittees and how many times Saltonstall had requested briefings from the CIA. Saltonstall replied that it happened at least twice a year in the SASC

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<sup>41</sup> Barrett, *CIA and Congress*, 226–27; CIA draft study, Vol. I., 56.

<sup>42</sup> CIA draft study, Vol. I., 56.

<sup>43</sup> *Ibid.*, 57.

<sup>44</sup> *Ibid.*, 59.

and once a year in the SAC. When Mansfield then asked how often the DCI (Dulles at the time) had refused to answer the subcommittees' questions, Saltonstall replied,

*The difficulty in connection with asking questions and obtaining information is that we might obtain information which I personally would rather not have, unless it was essential for me as Member of Congress to have it. . . . It is not a question of reluctance on the part of CIA officials to speak to us. Instead, it is a question of our reluctance, if you will, to seek information and knowledge on subjects which I personally, as a Member of Congress and as a citizen, would rather not have.*<sup>45</sup>

Speaking to the Senate as a whole, Mansfield replied, "Mr. President, I think the Senator's answer tells the whole story."<sup>46</sup>

The next day, however, when debate on the resolution resumed, Senator Russell took the floor and said he had yet to hear one substantial argument for changing the existing oversight arrangements. While he candidly conceded that CIA personnel had wasted money and had "not been able to penetrate behind the Iron Curtain," he noted that CIA had developed information "of vital value," which, on two or three occasions, had been "well worth the total cost of administration of all our security agencies."<sup>47</sup>

Responding to the implication of Mansfield's proposal that his committee was not doing its job, Russell had this to say:

*We have had before us the head of the Central Intelligence Agency and his staff. We have never had them fail to respond to a single question we have asked them. . . . We have asked him very searching questions about some activities which it almost chills the marrow of a man to hear about. . . . I doubt very much whether the heads of the many independent agencies [in the federal government] have spent more time with the committees to which they are supposed to report, over the course of an average year, than Mr. Dulles, as Director, has spent before my committee.*

*[Nevertheless] I shall endeavor, to the best of my ability, to keep in touch with what the CIA is doing. I do not mean to say by that that I intend to undertake to find out whether or not we have an agent in some foreign country—perhaps a satellite—who is tapping the tele-*

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<sup>45</sup> Barrett, *CIA and Congress*, 230.

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.*, 230.

*phone of some foreign embassy, or anything of that nature. However, I shall undertake to exercise as close supervision of this Agency as is ordinarily exercised by the parent committees of the Congress in dealing with agencies which are responsible to them.*<sup>48</sup>

Responding later to a suggestion by Senator Wayne Morse that all senators, indeed all citizens, be made aware of the CIA's activities, Senator Russell strenuously objected:

*We have not told the country [and will not do so in the future] . . . because if there is anything in the United States which should be held sacred behind the curtain of classified matter, it is the information of this Agency. . . . It would be better to abolish it out of hand than it would be to adopt a theory that such information should be available to every member of Congress and to the members of the staff of any committee.*

SAC Chairman Carl Hayden added,

*How would it be possible to keep the American people fully informed and at the same time keep our Communist enemies in Moscow in the dark?*<sup>49</sup>

In the ensuing vote, the barons of the Senate prevailed, 59–27. As Mansfield later explained, “What you had was a brash freshman going up against the high brass.”<sup>50</sup> Mansfield confided to CIA liaison John Warner that the next time he tried this, he would “line up with the pros—the professional politicians.”<sup>51</sup>

### **Subsequent Developments: 1956–59**

While the public “dust-up” over the Mansfield resolution did not result in a change to the existing oversight arrangements, the debate did prompt SAC Chairman Hayden to formally designate his committee's CIA subcommittee. While his counterpart in the House, HAC Chairman Cannon, continued to use an undesignated subcommittee he expanded its professional staff and sought increasingly more detailed information about the Agency's program and budget. At CIA's urging, the subcommittees would also sometimes publish

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<sup>48</sup> Ibid., 231.

<sup>49</sup> Ibid., 231–32.

<sup>50</sup> Ibid., 233.

<sup>51</sup> CIA draft study, Vol. I, 60.



notices of their meetings, if only to demonstrate to the outside world such meetings were occurring.<sup>52</sup>

But in the Senate, even these modest efforts to improve the outside perception of their stewardship of the Agency, were belied by what was taking place. Russell appointed himself, Saltonstall, Byrd, Bridges, and Lyndon Johnson (D-TX) to the SASC subcommittee. Appointed by Hayden to the SAC subcommittee were, again, Russell, Bridges and Byrd. Not surprisingly, the subcommittees of the SASC and SAC began conducting their business at the same meetings.<sup>53</sup> Moreover, their meetings were rare. Despite the Agency's efforts to get its Senate committees to meet more frequently, the SAC subcommittee met once in 1956 and not at all in 1957. In 1958, the sole budget hearing for the Agency in the Senate was a joint meeting of the SASC and SAC subcommittees and was "off the record" (in other words, no transcript was made). While CIA notes of the meeting reflect that the discussion "covered the world situation in considerable detail and the Senators appeared to be impressed with the information given them," they asked no questions about the Agency's operations, tactics, or finances.<sup>54</sup>

Walter L. Pforzheimer, CIA legislative counsel at the time, described the situation during this period this way:

*We allowed Congress to set the pace. We briefed in whatever detail they wanted. But one of the problems was, you couldn't get Congress to get interested.*<sup>55</sup>

While the Agency struggled for the attention of its oversight committees where its budget was concerned, the DCI's appearances on the Hill, principally to provide substantive analysis and to explain the Agency's role in predicting well-publicized events around the world (or, more often, failing to do so), actually grew more frequent. In 1956, DCI Dulles testified before both armed services committees on the suspected "bomber gap" with the Soviet Union. Later the same year, he testified before the Senate Foreign Relations Committee (SFRC) on developments in Eastern Europe. In 1957, the HAC held three closed-door hearings on the CIA's performance. Later in the year, after the Soviets unexpectedly put a satellite into space for the first time, Dulles was brought before the SASC to explain what the Agency knew about the Soviet missile capability. In 1958, he appeared 27 times before 16 different committees. While this testimony principally involved the Sputnik launch

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<sup>52</sup> Warner interview, 27 September 1996, 18.

<sup>53</sup> Karalekas, *History*, 66–67.

<sup>54</sup> CIA draft study, Vol. I, 63.

<sup>55</sup> CIA draft study, Vol. II, 7.

and Soviet military capabilities, several committees also probed the failure of the CIA to predict the coup that had taken place in Iraq that year. The army had overthrown and murdered the pro-Western monarch, King Faisal, sending shock waves through other pro-Western Arab governments, which feared the same could happen to them, and the CIA had apparently known nothing about it. This perceived failure prompted Mansfield, who was now the majority whip in the Senate, to offer for the fourth time his joint intelligence committee resolution as a fix to the problem, but once the hullabaloo over the coup in Iraq quieted down, he did not pursue it. (For a more detailed discussion of Congress's inquiries into these intelligence failures, see chapter 7.)

Indeed, in midsummer 1958, the Agency's increased visibility on the Hill and the criticism that frequently attended these appearances caused CIA officials to consider how they might improve the Agency's standing on Capitol Hill. "Unless some method is established at a very early date to provide the general membership of the Congress at least with a general statement of [the Agency's] competence," CIA Inspector General Lyman Kirkpatrick warned Dulles, "We shall inevitably find ourselves with a Congressional watchdog committee."<sup>56</sup> In the ensuing months, CIA stepped up its briefings of congressional committees and developed a comprehensive "tasks and functions" briefing for use on Capitol Hill. It also suggested to its subcommittee chairmen that they brief their full committees on the Agency's operations and accomplishments.<sup>57</sup>

Increased CIA interaction with the Hill, and the threat that sensitive information might be compromised as a result, concerned President Eisenhower, however, who told Dulles in December 1958 that he was testifying entirely too often before Congress, especially "non-oversight" committees. Dulles agreed that in the future he would testify before such committees only if he first obtained the permission of the chairmen of the House or Senate CIA subcommittees and would provide only oral briefings to these committees, in other words, intelligence documents would not be left on the Hill.<sup>58</sup>

Meanwhile, Dulles sought to improve the interaction with the CIA subcommittees. Taken aback by criticism relayed by a member of the HAC staff in December 1958 that Chairman Cannon was tired of the Agency's "hiding behind a cloak of secrecy," Dulles offered to brief the HAC whenever it wanted in as much detail as it wanted. He subsequently made the same offer to the HASC, SAC, and SASC, but it did not result in appreciable change.<sup>59</sup> All

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<sup>56</sup> CIA draft study, Vol. I, 65.

<sup>57</sup> *Ibid.*, 67.

<sup>58</sup> *Ibid.*, 71.

<sup>59</sup> *Ibid.*, 68–69.

told, Dulles and his senior assistants appeared 31 times before Congress in 1959, four more occasions than in the preceding year.

Dulles's efforts to cultivate the subcommittees continued into the following year, but more often than not his efforts to have the subcommittees hold hearings were met with indifference. They were "fully occupied" with other matters, the staff of the HASC subcommittee told him. Indeed, one exasperated House staff member wondered to the Agency's legislative liaison why the Agency needed more meetings anyway, since they always got all the money they asked for.<sup>60</sup>

### **The Issue of GAO Audits: 1959–62**

The General Accounting Office (GAO) was an arm of the Congress used to conduct audits and performance reviews of executive branch agencies, but its authority to audit the expenditures of the CIA (or conduct performance reviews) was not made clear in the charter of either agency. RADM Hillenkoetter had taken the position in 1948 that the Agency's statutory authority to spend appropriated funds for operational purposes without the requirement of a "voucher"—a document showing how the funds had been spent—in effect exempted such funds from audit by the GAO. The law, he pointed out, said the certificate of the director would be the "final accounting" required for such funds. Hillenkoetter had allowed the GAO, however, to audit "vouchered expenditures" for nonoperational purposes, in other words where the Agency maintained receipts showing how the funds were spent, for example, TDY funds to attend conferences.<sup>61</sup>

In early 1959, however, the comptroller general (head of the GAO) informed the HASC that GAO planned to terminate even these limited kinds of audits because CIA refused to provide meaningful access to its information. This, in turn, led the committee to urge that CIA and GAO try to work out their differences. After several months of negotiation, Dulles agreed to ground rules that would allow the GAO to conduct a limited audit of the Agency on a trial basis. Sixteen months later, however, GAO wrote the committee again saying it was terminating its effort because it lacked meaningful access. After several months more of pressing the parties to find a solution, the HASC finally agreed that GAO could withdraw. In July 1962, all of its audit activities at the Agency were abandoned.<sup>62</sup>

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<sup>60</sup> *Ibid.*, 89.

<sup>61</sup> *Ibid.*, 93.

<sup>62</sup> *Ibid.*, 95.

### Shootdown of the U-2: 1960

While DCI Dulles had told selected members about the U-2 program in 1955 (see chapter 8), most members of Congress knew nothing of the program until Francis Gary Powers was shot down in one of these spy planes over the Soviet Union on 1 May 1960. This prompted a flurry of briefings by the CIA in the weeks that followed and, to a limited degree, raised the issue of the adequacy of the existing oversight arrangements. *Aviation Week*, for example, editorialized that “the need for a congressional or some other ‘watchdog’ operation over CIA was never more apparent.”<sup>63</sup>

But most of the assessments of CIA’s performance that came out of Congress at the time, including those of the CIA subcommittees, were overwhelmingly supportive (see chapter 8). Subsequent efforts to institute new oversight arrangements received limited traction as a result. In September, the HASC created the Special Subcommittee to Investigate National Intelligence Activities, but it fell dormant after one inconclusive hearing with the CIA.<sup>64</sup> In the Senate, Eugene McCarthy (D-WI) described the U-2 episode as only the latest in a series of CIA blunders and again offered the joint intelligence committee as a solution to what he viewed as a failure of congressional oversight. A few weeks later, in a meeting of congressional leaders with President Eisenhower to discuss the forthcoming closed-door hearings on the U-2 before the two foreign relations committees, Mansfield took the opportunity to raise the joint intelligence committee idea personally with the president, only to receive a firm but polite turndown.<sup>65</sup> Apparently undeterred by the president’s reaction, Mansfield offered another bill after the hearings, renewing his call for a joint committee, but, apparently recognizing it had little chance of being enacted, chose not to pursue it.<sup>66</sup>

### The Bay of Pigs: 1961

Like the shootdown of the U-2, the disaster at the Bay of Pigs in April 1961 (see chapter 9) prompted renewed calls for a joint intelligence committee. Senator McCarthy reintroduced his proposal in the Senate, while four congressmen offered similar resolutions in the House.<sup>67</sup> Moreover, the House Rules Committee created a special subcommittee to explore whether a full-scale investigation of the CIA was called for in the wake of the Cuban fiasco.

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<sup>63</sup> Barrett, *CIA and Congress*, 422.

<sup>64</sup> CIA draft study, Vol. I, 82.

<sup>65</sup> Barrett, *CIA and Congress*, 412.

<sup>66</sup> CIA draft study, Vol. I, 83.

<sup>67</sup> *Ibid.*, 87.

In this case, however, the Agency had, for the first time, given advance notice to at least two of its oversight committees, and President Kennedy had separately advised Senator William Fulbright (D-AR), chairman of the SFRC. Dulles appeared before the HAC subcommittee in January, several months in advance of the operation and, according to an internal CIA memo, “gave a fairly detailed picture of CIA action with respect to Cuba . . . mentioning the two-pronged program of propaganda . . . [and] the paramilitary effort, and indicating the number of Cubans being trained and the supply efforts and the bases.”<sup>68</sup> In March, he appeared before the HASC subcommittee and described the invasion plans in even greater detail. According to an internal CIA memo, the subcommittee “seemed satisfied with what they had heard.”<sup>69</sup> According to CIA Legislative Counsel John Warner, Dulles also briefed the leaders of the SASC subcommittee on the operation. Of those members of Congress who learned of the Bay of Pigs in advance, only one, Senator Fulbright, is recorded as raising objections.<sup>70</sup>

So, while the Bay of Pigs had been the Agency’s most stunning public failure to that point, Congress could not claim to have been uninformed about it. On 1–2 May 1961, the SFRC did hold two days of relatively contentious closed hearings following the operation, and the HAC and HASC subcommittees followed up with closed hearings of their own. But the congressional participants in these hearings were relatively restrained in their public criticisms of the Agency. Indeed, while certain members professed to understand the president’s need to replace Dulles after the debacle, they also made a point of signaling their personal regard for him.<sup>71</sup>

Senator Mansfield, who was now the majority leader and a supporter of the new president, also sought to calm the Senate’s reaction to the Bay of Pigs. Telling the press that, “this is no time for a congressional investigation,” he refused to support McCarthy’s resolution to create a joint intelligence committee, an idea that until this point, Mansfield had largely been identified with.<sup>72</sup>

President Kennedy also took several actions in the aftermath of the Bay of Pigs that dampened what might otherwise have been an occasion for an energetic congressional response. First, he appointed a blue-ribbon commission chaired by retired Army General Maxwell Taylor to investigate the operation; the commission would have access to CIA operational records (something Congress did not have). Second, within three weeks of the Bay of Pigs, he

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<sup>68</sup> *Ibid.*, 84.

<sup>69</sup> *Ibid.*; Barrett, *CIA and Congress*, 440–45.

<sup>70</sup> Barrett, *CIA and Congress*, 445, 448.

<sup>71</sup> *Ibid.*, 452–53.

<sup>72</sup> *Ibid.*, 455.

reestablished the internal oversight board for intelligence within the White House. Redesignated the President's Foreign Intelligence Advisory Board (PFIAB), it replaced the defunct Board of Consultants on Foreign Intelligence Activities that Eisenhower had established five years earlier.

### **The Remainder of the 1960s: A Period of Quiescence**

Interest in reforming the existing oversight arrangements did not die after the Bay of Pigs. Senator McCarthy continued to reintroduce his joint intelligence committee proposal each year, which various senators and congressmen continued to tout as the “panacea” for the shortcomings perceived in the existing arrangements. But those espousing reform remained relatively few, and fewer still were willing to devote the time and energy to an issue that was evidently so stacked against them. The leaders of the CIA subcommittees seemed as determined as ever to maintain their control over Agency oversight and, in this regard, had the publicly stated support of Presidents Kennedy and Johnson.<sup>73</sup> Without some event that would crystallize concern more generally within the Congress, reform still appeared remote.

But such a “crystallizing” event did not occur for the rest of the decade. There were events that raised questions in Congress about the Agency's role or performance—the Ramparts episode in 1967 or the Cuban missile crisis of 1962, for example<sup>74</sup>—but none provoked the sort of powerful and widespread reaction needed to overturn the existing oversight arrangements. While there were “skirmishes” with the Foreign Relations Committee in the Senate during the period, as well as occasional defections to the joint committee concept on the part of influential members (see below), the powerful barons who controlled the CIA subcommittees continued to hold sway in both houses.

The Agency, for its part, continued to urge its committees to exercise their oversight responsibilities more actively—and more visibly—and expanded its substantive intelligence support to other committees.

### **McCone's Early Interaction with the Congress**

While new DCI John McCone followed the line that Dulles had taken in public—that the issue of a joint committee was up to Congress to decide—he actively defended the existing oversight arrangements in his early public com-

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<sup>73</sup> CIA draft study, Vol. I, 91.

<sup>74</sup> See chapter 8 for a discussion of the *Ramparts* disclosures and chapter 10 for a discussion of the Cuban missile crisis.

ments. He told the *New York Times* in January 1962 that the CIA “has been at all times responsive to the calls of these [CIA] subcommittees and in addition has brought to their attention matters the Agency felt should be properly considered by them.”<sup>75</sup> In private, however, he, like Dulles, encouraged the subcommittees to meet more frequently with Agency representatives, receive substantive intelligence briefings, and learn more of CIA’s operations. While the subcommittees seemed initially amenable to McCone’s suggestions, scheduling several hearings in early 1962, as the session wore on, interest in having regular meetings waned in the press of other business.

Senator Fulbright complained publicly in March 1962 that, contrasted with the oversight subcommittees, his committee, the SFRC, was not getting enough attention from the CIA, contending that the committee needed greater access to intelligence to do its job. This led McCone to propose to Senator Russell that he allow one or two members of the SFRC to attend meetings of the SASC subcommittee, but Russell demurred.<sup>76</sup> Still, the Agency ended the year with a record 32 congressional briefings for the year, including 12 for their oversight subcommittees.<sup>77</sup>

### **The “Dust-up” with Congressman Lindsay: 1963-64**

In April 1963, following McCone’s refusal to provide information to Rep. John Lindsay (R-NY) concerning the CIA’s operations in Europe, Lindsay publicly expressed his “profound displeasure” with the Agency, and in August he introduced legislation to establish a joint intelligence committee to investigate the CIA’s operational performance, analytical capability, and administrative practices.<sup>78</sup>

Within CIA itself, Lindsay’s initiative led to a reappraisal of the Agency’s opposition to a joint committee. In a memo to McCone, Agency General Counsel Lawrence Houston argued that despite its shortcomings, the existing system had matured. “Our own subcommittees have been better formalized, their jurisdiction has been more clearly recognized, and we have made considerable efforts to have more frequent and complete hearings.” Houston went on to argue that a joint committee would likely not protect CIA’s interests as well as the existing system did and that to endorse the joint committee at this point would be “bitterly resented as criticism of the way [our current overseers] handle their responsibilities.”<sup>79</sup>

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<sup>75</sup> Ibid.

<sup>76</sup> Ibid., 93–94.

<sup>77</sup> Ibid., 101.

<sup>78</sup> Ibid., 94.

<sup>79</sup> Ibid., 92.

For his part, McCone decried “this continued prattle about a watchdog committee.” His greatest fear, he told associates, was that such a committee would hire a staff of disgruntled ex-CIA employees who would wreak havoc upon their old employer.<sup>80</sup>

In February 1964, Lindsay continued his assault by writing an article for *Esquire* magazine—accompanied by a similar article by Senator McCarthy—that criticized the Agency and argued for a joint committee to oversee it. McCone was livid, privately denouncing the essays as “a series of absolute misstatements” and calling the authors “sons of bitches.” He even threatened to resign in protest of the royalties he presumed Lindsay and McCarthy had gotten for writing their criticism. Once tempers had cooled, however, McCone approved a conciliatory approach to Lindsay, allowing Agency officials to meet with him and apologize for the Agency’s previous failure to provide him with information. At the same time, CIA successfully worked behind the scenes to ensure that Lindsay’s proposal, then pending before the House Rules Committee, never saw the light of day.<sup>81</sup>

### **CIA Interaction with the Congress: 1963–66**

For the remainder of his tenure as DCI, McCone continued to encourage the CIA subcommittees, particularly those in the Senate, to involve themselves to a greater extent in the Agency’s affairs. He was also prepared to brief other committees on substantive issues so long as it could be done without antagonizing the leaders of the CIA subcommittees.

When VADM William Raborn became DCI in 1965, CIA General Counsel Lawrence Houston advised him that while no statute required it, CIA “must continue to inform the [oversight] Subcommittees currently and fully . . . [and] should not withhold information from them unless directed to do so by the President.” In the past, Houston went on to note, the Agency had given its subcommittees any information about its activities they had requested, including activities and projects “of a most sensitive nature.”<sup>82</sup>

The number of appearances Agency officers made on the Hill fluctuated from year to year, more often the result of world events (see chapters 4 and 5) than its own efforts to promote interaction. Moreover, while there were occasional stirrings of discontent in Congress with respect to the Agency’s performance during this period, none prompted calls for change in the existing

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<sup>80</sup> David Robarge, *John McCone as Director of Central Intelligence*, 75 (classified biography).

<sup>81</sup> CIA draft study, Vol. I, 95.

<sup>82</sup> CIA draft study, Vol. II, 10.



oversight arrangements. In 1963, CIA records reflect a total of 30 substantive briefings to congressional committees. The following year, the number shrunk to 13, but the Agency did meet on nine occasions during the year with its four oversight subcommittees. By this point, staff on the subcommittees had grown to four or five professionals on each subcommittee, still small but twice as large as the staffs had been a decade earlier.<sup>83</sup>

In 1965, the total of substantive briefings provided by the Agency rose to a record 53, which included 34 meetings with its subcommittees during the year, leading John Warner, its legislative counsel, to write incoming DCI Richard Helms in mid-June 1966 that the Agency's standing with the Hill was "better than ever."<sup>84</sup>

### **The SFRC Asserts Its Right to Oversee the CIA: 1966**

Notwithstanding Warner's glowing assessment, not all members were happy with the existing state of affairs. Frustrated by the inability of the SFRC to obtain more information from the CIA about the situation in South Vietnam, Senator Eugene McCarthy introduced a resolution in January 1966 calling for a review by the SFRC of CIA's impact on foreign policy. When the full committee considered the proposal in May, it reported out, at the behest of its chairman, Senator Fulbright, an amended resolution that called for the addition of three members of the SFRC to the CIA subcommittee of the SASC.<sup>85</sup>

Senator Russell, who still chaired the SASC and its CIA subcommittee, reacted negatively, promising a floor fight when the SFRC resolution reached the floor. Majority Leader Mansfield, wishing to avoid this result, asked Russell and SAC Chairman Hayden to meet with Fulbright to come up with a compromise. Mansfield himself suggested a separate three-person subcommittee be established on the SFRC to do oversight of intelligence operations. CIA was so alarmed by this suggestion that it sought and obtained White House intervention to oppose the idea. Russell also expressed his displeasure. As a result, neither the SFRC resolution nor any compromise plan made it to the Senate floor that year.<sup>86</sup>

To appease the dissidents on the SFRC, however, Russell afterwards invited Mansfield, Fulbright, and Senator Bourke Hickenlooper (R-IA), the SFRC's ranking minority member, to begin attending meetings of his CIA subcommit-

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<sup>83</sup> *Ibid.*, Vol. I, 104–6; Warner interview, 27 September 1996, 31.

<sup>84</sup> CIA draft study, Vol. I, 108.

<sup>85</sup> CIA draft study, Vol. II, 24–25.

<sup>86</sup> *Ibid.*, 25–26.

tee. Initially, the three were receptive to Russell's invitation, but all soon stopped attending, because, as Fulbright complained, "they [the CIA] never reveal anything of significance [at these meetings]."<sup>87</sup>

### 1971: A Pivotal Year

By the end of 1971, senior officials at the Agency clearly saw the old system of oversight coming to an end. Largely as a result of the Vietnam War and the growing mistrust of the executive branch, Congress, like the public generally, was becoming more disillusioned and suspicious. Younger, antiwar members were being elected to seats in Congress and did not have the same reverence for the institution or for its traditions of seniority. CIA, because of the secrecy in which it necessarily had to operate, was peculiarly vulnerable to this sense of mistrust. Some in Congress suspected the Nixon White House was using the CIA to carry out its policies in Southeast Asia to avoid congressional scrutiny.

To make matters worse, the Agency's aging congressional overseers, who had protected it for a quarter of a century, were passing from the scene. Senator Russell died in January 1971. Carl Hayden and Mendel Rivers were also gone by this point. Those who remained in charge were relatively old—SAC chairman Allen Ellender (D-LA) was 81; HAC chairman George Mahon (D-TX), 72; SASC chairman John Stennis, 71; and HASC chairman Edward Hebert (D-LA), 71—and, for the most part, resisted changing their old patterns of behavior. When a public furor broke out in February 1971, for example, over Senator Stuart Symington's (D-MO) acknowledgment that CIA had, for years, been conducting a "secret war" in Laos (see chapter 9), SASC Chairman Stennis chose to handle it quietly, behind the scenes. The SASC subcommittee, in fact, held no meetings at all in 1971. And after the Senate introduced a rash of legislative proposals following Symington's disclosure (mandating everything from disclosing the Agency's budget to barring CIA from conducting paramilitary activities abroad), Stennis made certain none saw the light of day. At the same time he warned DCI Helms informally that unless the Agency disentangled itself from Laos, it faced the possibility that Congress would intervene to curtail its activities around the globe and that he might not be able to stop it.<sup>88</sup> Apparently taking Stennis's admonition to heart, Helms sought permission from the Nixon administration to terminate the program.

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<sup>87</sup> *Ibid.*, 26–27.

<sup>88</sup> Hathaway and Smith, *Richard Helms*, 179–80.

In the House, the CIA's overseers proved more amenable to accommodating the growing demand for change. After the Democratic Party caucus, at the urging of younger members, adopted a new policy in 1971 that limited members to a single subcommittee chairmanship, HASC Chairman Hebert created a new special subcommittee on intelligence to which he appointed Lucien Nedzi (D-MI), a younger, energetic congressman as chairman. Nedzi was given the job, Hebert explained to the CIA legislative counsel, because he enjoyed the confidence of the "younger and more restive members."<sup>89</sup>

In any event, by the end of 1971, as CIA Legislative Counsel John Maury perceptively noted in his yearend report,

*The congressional power structure, which has for a quarter of a century served to shield the Agency from intrusion or attack by the rank-and-file membership, is in a state of flux. . . . One need not go far down the seniority lists of the committees over which [the aging leaders] preside to find members of substantially different temperament and outlook. They include men who have over the years become increasingly suspicious or jealous of the secretive manner in which the Agency oversight committees have exercised their responsibilities. And their ranks are being periodically reinforced by newly elected younger members. Many of these feel that because of the increasingly important role of the Agency in providing inputs to crucial policy decisions its information and its activities should be more broadly accessible to the Legislative branch, and some of them appear to have been infected by the anti-establishment and anti-Agency campaigns of the "New Left." Faced with the resulting pressures, our aging and harassed protectors and benefactors on the Hill can no longer be expected to hold the old lines.<sup>90</sup>*

### **Congressional Inquiries into Watergate: 1973–74**

On the night of 16 June 1972, five men were arrested at the Watergate Hotel in Washington DC, caught burglarizing the offices of the Democratic National Committee. All, it turned out, had connections with the CIA. One, James McCord, was a retired Agency security officer, and the other four were Cuban exiles who either had been, or still were, on the Agency's payroll. Information found on the burglars also connected them to another former Agency

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<sup>89</sup> CIA draft study, Vol. II, 43.

<sup>90</sup> Hathaway and Smith, *Richard Helms*, 181.

employee, E. Howard Hunt, who worked at the Nixon White House as the head of a small unit that investigated security leaks.

As the criminal investigation of the burglary proceeded, it came to light that CIA had provided certain kinds of assistance to Hunt. The Agency at Hunt's request had provided a psychological profile of Daniel Ellsberg, the Pentagon official who had earlier leaked the Pentagon Papers to the press. Later, Hunt and G. Gordon Liddy used Agency-provided disguises, fake ID cards, and miniature cameras to scout out the office of Ellsberg's psychiatrist in California. Film taken of the office was then sent to CIA to be developed. While CIA was unwitting of Hunt's purposes, it terminated its assistance to him at that point, uncomfortable with what he might be doing.<sup>91</sup>

Raising further suspicion regarding the Agency's involvement, the ongoing investigations later revealed that the White House had attempted to use the CIA as part of its effort to cover up its involvement in the affair. The White House had asked CIA to intervene with the FBI to stop its investigation of the Mexican connections of two of the Watergate burglars. White House Counsel John Dean subsequently proposed that CIA use money from its contingency fund to make bail for the burglars. While DCI Helms had steadfastly refused to allow the Agency to be used for these purposes, the fact that the White House had reportedly made such overtures to the Agency during the summer of 1972 deepened suspicion in the Congress.

First to investigate was the Nedzi subcommittee of the HASC, which in May 1973 began a series of hearings specifically focused on CIA's involvement in Watergate that lasted intermittently for more than a year. While the subcommittee eventually vindicated Helms as well as the Agency—Nedzi told Helms that both had been "badly abused" by the Nixon administration<sup>92</sup>—the Nedzi investigation was the most thorough, meticulous investigation of possible wrongdoing within the CIA that a congressional committee had conducted to that point.

The broader, more widely appreciated congressional investigation of Watergate, carried out by a special committee of the Senate chaired by Senator Sam Ervin (D-NC), also looked into CIA's role in the affair. But in the end, like the Nedzi subcommittee, it found no evidence of CIA's involvement beyond the unwitting assistance provided to Hunt. The vice chairman of the Watergate Committee, Senator Howard Baker (R-TN), however, remained skeptical and filed separate views to the committee's final report describing his continued misgivings on the issue.<sup>93</sup> Baker's statement deeply concerned DCI William

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<sup>91</sup> Prados, *Lost Crusader*, 250.

<sup>92</sup> Hathaway and Smith, *Richard Helms*, 198.

Colby, who not only believed CIA was innocent of the charges but thought the Agency had gone out of its way to provide Baker and his staff with access to Agency personnel and pertinent documentary evidence.<sup>94</sup> Indeed, for the first time in its history, the Agency had allowed investigators from the Congress to review documents from its files and interview its employees. Heretofore, the Agency had provided information to congressional committees through briefings or by providing documents for review on the Hill. In any event, while the Watergate Committee did not recommend change to the oversight arrangements per se, its final report did recommend that Congress should “more closely supervise the operations of the intelligence and law enforcement ‘community’ . . . and, in particular, its relations with the White House.”<sup>95</sup>

Watergate had one other consequence for CIA that ultimately had a significant bearing on the arrangements for congressional oversight, and that was the assembling of the “Family Jewels.” When James Schlesinger succeeded Helms as DCI in March 1973, the criminal investigation into Watergate had been ongoing for months, and the congressional investigations were swinging into high gear. On 15 April, the Justice Department announced that it had established evidence of a White House link to the burglary of the office of Daniel Ellsberg’s psychiatrist two years earlier. This led CIA to look again at the photographs they had developed for Hunt: their significance was now clear. When Schlesinger was told of this, he was outraged and wanted to know what else he had not been told about. The order went out within the Agency that the DCI wanted to know anything and everything about the Agency’s past, especially any domestic activities, that might have “flap potential.”<sup>96</sup> The CIA inspector general, in response to this order, assembled a compilation of 693 pages that became known as the “family jewels.” It contained reports of mail-opening programs, surveillance of Americans, infiltration of domestic political groups, drug experiments on unwitting subjects, break-ins of homes and offices, connections with organized crime (in conjunction with plans to assassinate Cuban leader Fidel Castro), and other dubious activities (see chapter 8).

By the time the report had been assembled, however, Schlesinger had left the DCI’s job to become Secretary of Defense. This meant that his putative successor, William Colby, soon to face confirmation hearings before the SASC, would have to deal with it. Colby decided that at a minimum he had to bring the “family jewels” to the attention of the SASC and HASC before he was confirmed. He did so in private meetings with Stennis and Symington of

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<sup>93</sup> *Ibid.*, 201.

<sup>94</sup> CIA draft study, Vol. II, 45.

<sup>95</sup> Hathaway and Smith, *Richard Helms*, 202.

<sup>96</sup> Prados, *Lost Crusader*, 259–260.

the SASC and Hebert and Nedzi of the HASC. Of the four, only Nedzi asked to see the compilation; the others relied on Colby's assurances that these were activities that had taken place in the past, had been ended, and would not be allowed in the future; they agreed they should not be part of Colby's confirmation process since he had himself played no role in them. Nedzi did, in fact, read the compilation but took no further action with respect to it within his subcommittee.<sup>97</sup>

Part of the quandary Nedzi faced in deciding what to do about the "family jewels" was the absence of an historical track record on what the appropriate congressional role should be in such circumstances. "It is a bit unsettling," he told an interviewer in 1973, "that 26 years after the passage of the National Security Act of 1947, the scope of real congressional oversight, as opposed to nominal congressional oversight, remains unformed and uncertain."<sup>98</sup>

### **Congressional Inquiries into the CIA Activities in Chile: 1973–74**

While the investigations of Watergate were ongoing, Congress began an unrelated series of inquiries into CIA's activities that signaled even more clearly that the old system of oversight was about to change.

In September 1973, Chilean President Salvador Allende was overthrown and died in a military coup. A short time later, articles appeared in the press containing allegations by Congressman Michael Harrington (D-MA), a liberal, anti-administration member, that the CIA had been involved.

In October 1973, a House foreign affairs subcommittee, at Harrington's urging, summoned Colby to testify on the Agency's activities in Chile. While Colby appeared before the subcommittee, he refused to testify substantively in open session, saying that such testimony should more properly occur before the Nedzi subcommittee of the SASC.<sup>99</sup>

Testimony before Nedzi's subcommittee did not occur, however, until April 1974. When Colby did appear in closed session, he described the efforts that the Agency had made in 1970 at the direction of the Nixon administration to keep Allende from being elected president of Chile, essentially propaganda campaigns designed to discredit Allende among his supporters. Colby also assured the subcommittee that the Agency had not been involved in the 1973 coup that had resulted in Allende's death.<sup>100</sup>

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<sup>97</sup> *Ibid.*, 263–64.

<sup>98</sup> Karalekas, *History*, 100.

<sup>99</sup> Harold Ford, *William E. Colby as Director of Central Intelligence, 1973–76*, 70 (an internal, classified biography).

Colby chose to reveal—only to Nedzi at the time, however—that there was more to the story. The popular vote for Allende in 1970 had been less than a majority, which required, under the Chilean constitution, a vote by the Chilean legislature three weeks after the popular election. During this interim period, CIA at the express direction of President Nixon had undertaken several actions, including exploring the possibility of a coup with members of the Chilean military, to prevent Allende from coming to power. In the end, the coup never materialized, and Allende won the confirming vote in the Chilean legislature. (This disclosure to Nedzi becomes relevant later.)

In any event, after the closed hearing before the Nedzi subcommittee, Rep. Harrington asked to review the transcript of Colby's testimony pursuant to the rule of the House of Representatives that allowed all members access to hearing transcripts and records.<sup>101</sup> Unlike the House's CIA overseers before him, Nedzi believed he had no choice but to agree to the request. To no one's surprise, Harrington leaked the substance of Colby's testimony, claiming it proved the Agency had tried to "destabilize" the Allende candidacy in 1970.

The news stories that followed provoked a storm of criticism. For the first time, it appeared the Agency had admitted to covertly interfering in the electoral process of another democratic country. This prompted a number of bills to be introduced in each house during the summer of 1974 whose purpose was to restrict in some manner the CIA's operational activities abroad. One of these proposals, an amendment to the Foreign Assistance Act known as the Hughes-Ryan Amendment, eventually became the focus of the reformers. Requiring that the president personally approve all covert actions in the future, the amendment went on to provide that such operations could only be undertaken after a "finding" by the president that the operation at issue was necessary to the defense of the United States and that such a "finding" had been communicated to six committees of the Congress: the two armed services committees, the two foreign affairs committees, and the two appropriations committees.

Obviously, the amendment, if it became law, would involve the foreign affairs committees in oversight of the CIA in a way they had never been before, but this time the clout of the barons who had protected CIA for a quarter century had been significantly weakened. The chief counsel of the SASC advised the CIA's legislative liaison, for example, that while the committee's chairman, Senator Stennis, hoped to strip the amendment from the bill in committee, he worried that "we couldn't hold off the younger Senators much longer."<sup>102</sup> In fact, Stennis failed to get the amendment struck in committee

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<sup>100</sup> *Ibid.*, 70.

<sup>101</sup> CIA draft study, Vol. II, 47.

and sought to head it off by inviting the Senate majority and minority leaders, who were also members of the Senate Foreign Relations Committee, to participate in meetings of the CIA subcommittee. On the House side, HASC Chairman Mahon similarly offered to give the House Foreign Affairs Committee a role in overseeing intelligence activities affecting foreign policy. Neither of these efforts, however, proved enough to hold back the rushing tide.<sup>103</sup>

Meanwhile, if the Hughes-Ryan Amendment were not enough for the barons to contend with, a Senate government operations subcommittee held two days of hearings in early December 1974 on various bills to strengthen congressional oversight of the CIA and the Intelligence Community. Senator Baker, the lead witness at the hearings, sharply criticized the existing structure and argued again for a joint intelligence committee. Others pointed out that the CIA subcommittees never issued reports on the CIA and that Congress, in general, had little access to intelligence information.<sup>104</sup> While subsequent events overtook the subcommittee's legislative agenda, the hearings were nonetheless a clear indication of mounting discontent within the Senate.

By mid-December, the Hughes-Ryan Amendment had sailed through both houses of Congress. While CIA, with the support of administration officials, had doggedly sought changes to the amendment, its efforts to modify the proposal failed. In the face of overwhelming congressional support, President Ford ultimately signed it into law on 30 December 1974.<sup>105</sup>

### **Allegations of Domestic Spying and Other Abuses: 1974–75**

Eight days before the Hughes-Ryan Amendment became law, the *New York Times* published a front-page story, headlined “Huge CIA Operation Reported in the U.S. Against Anti-War Forces, Other Dissidents in Nixon Years.” The story dealt with many of the subjects disclosed in the “Family Jewels” (domestic wiretaps, break-ins, and mail openings; infiltration of domestic political groups; and the existence of CIA files on as many as 10,000 American citizens involved in the antiwar movement) and, indeed, for the first time, revealed the existence of the compilation to the public.<sup>106</sup>

President Ford, himself surprised by the report—the Agency had neglected to tell the White House of the “Family Jewels” or alert it to the publication of the *New York Times* story—reacted by announcing on 4 January 1975 the

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<sup>102</sup> Ford, *William E. Colby*, 72.

<sup>103</sup> CIA draft study, Vol. II, 48.

<sup>104</sup> *Ibid.*, 49.

<sup>105</sup> Ford, *William E. Colby*, 72.

<sup>106</sup> Prados, *Lost Crusader*, 294.



establishment of a blue-ribbon commission to be chaired by Vice President Nelson Rockefeller to investigate the allegations of CIA wrongdoing contained in the article.<sup>107</sup>

In Congress, in an effort to establish control of the situation, the CIA subcommittees of the SASC and SAC held a joint hearing on 15 January and called Colby to testify in response to the allegations. At the committees' request, Colby agreed that the transcript of the hearing should immediately be made public.<sup>108</sup> But for many in Congress, this was too little, too late. One consequence of the subcommittees' failure to maintain records of their activities over the years was that they were now unable to defend themselves when their stewardship was seriously challenged. It was apparent in any case that the old way of doing oversight no longer sufficed. The *New York Times* story was proof positive that the existing oversight arrangements did not work. The oversight subcommittees had known nothing of these activities.

Accordingly, neither House was willing to entrust the investigation of the alleged CIA abuses to its existing committee structure. On 27 January 1975, the Senate voted 82–4 to establish a select committee of six Democrats and six Republicans, chaired by Frank Church (D-ID) to carry out an investigation. Not one of the leaders of the existing CIA subcommittees was appointed to the committee.<sup>109</sup> The House of Representatives followed suit on 19 February 1975. By a vote of 286 to 120, it created a 10-member investigating committee of seven Democrats and three Republicans.<sup>110</sup> Nedzi, notwithstanding his role as SASC CIA subcommittee chairman, was made chairman based upon his statement that a broader, more thoroughgoing investigation was needed and because he was seen as the most knowledgeable member of the House on intelligence matters.<sup>111</sup>

Although the CIA subcommittees in both houses would continue to handle the Agency's funding requirements while the investigations were ongoing, their oversight role was effectively at an end.

However, other congressional committees—held at bay for decades by the Agency's powerful protectors—were suddenly emboldened to join the fray. In addition to his numerous appearances before the two investigating committees, DCI Colby was called before seven other Senate committees during 1975, and before four additional House committees, testifying on such diverse subjects as CIA domestic spying, alleged CIA ties with drug lords in Thailand,

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<sup>107</sup> *Ibid.*, 298.

<sup>108</sup> *Ibid.*, 308; William E. Colby, *Honorable Men*, 402–3.

<sup>109</sup> Smist, *Congress Oversees*, 31.

<sup>110</sup> *Ibid.*, 134.

<sup>111</sup> CIA draft study, Vol. II, 113.

drug experimentation on unwitting subjects, alleged CIA activities in Chile, and the use of missionaries as intelligence sources. Indeed, when asked years later what the low point had been for him during this long, exhausting year, Colby replied without hesitation: “Bella Abzug!”

From her perch on the House Government Operations Committee, Abzug had, in her inimitable take-no-prisoners style, raked Colby over the coals for having kept a file on her. Admitting that he had “gotten sore,” Colby recalled telling her that “if she were going to visit [terrorists] abroad, enemies of the United States, there was no way I was going to keep her name out of our records.”<sup>112</sup>



Senator Frank Church  
(US Senate Historical Collection)

### **The Church Committee: 1975–76**

The Church Committee’s investigation lasted 15 months. It held 126 formal hearings during this period, 21 days of public hearings, conducted over 800 interviews, and released 14 volumes of hearings and reports.<sup>113</sup> It focused its efforts on the alleged improprieties that had been identified in the press (collection on US persons, CIA involvement in Chile, and assassination plots). But it also expanded these inquiries into related areas (NSA surveillance of US citizens and FBI surveillance of Dr. Martin Luther King).<sup>114</sup>

This was the first probe of any consequence that Congress had ever conducted into Agency operations. Colby had given the Senate Watergate Committee access to documents and personnel relating to the Agency’s assistance to E. Howard Hunt, but this did not entail an in-depth probe into the Agency’s operational activities. Heretofore, if Congress had questions, it summoned the DCI to the Hill to explain. Now, it was asking for documents and access to Agency personnel.

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<sup>112</sup> Ford, *William E. Colby*, 177–80.

<sup>113</sup> Smist, *Congress Oversees*, 28.

<sup>114</sup> For a discussion of its investigative activities relating to the Agency, see chapters 7–9.

For the most part, the Agency tried to cooperate. While some at the Agency thought the Church Committee should be told as little as possible, Colby believed that “you won’t get away with stonewalling them.” He thought the Agency “had a good story to tell” and that if the committee could be persuaded to stay focused on the domestic issues, the Agency might well avoid damage to its overseas operations.<sup>115</sup>

While the committee did not, as Colby had hoped, confine its investigation to domestic issues—for example, it looked into covert action in Chile and alleged assassination plots against foreign leaders—it did not conduct in-depth investigations of the Agency’s principal mission areas: clandestine collection abroad and analysis. (See chapters 7 and 8.)

This is not to say the Church Committee posed no problems for the Agency. On the way back from his first hearing before the committee, Colby complained that he felt he was “sitting there with the handcuffs already put on me. . . . They treated me like a criminal.”<sup>116</sup> There was also great consternation over Church’s characterization of the Agency as a “rogue elephant rampaging out of control” at the committee’s first public hearing<sup>117</sup> as well as other of his actions that the Agency regarded as attempts to sensationalize the investigation to advance his own political ambitions. Church announced his candidacy for president half way through the investigation. There were also continuing battles over the committee’s access to Agency documents as well as considerable dismay over the committee’s initial reports on assassination plots and covert action (see chapter 9 for a fuller description). But by the time the committee had finished its work, relations between the committee and its staff and the Agency’s own staff had considerably improved.

Moreover, its final report, issued in April 1976, proved to be far more balanced from the Agency’s standpoint than much of its investigative work. Colby, in fact, later characterized it as a “comprehensive and serious review of the history and present status of American intelligence.”<sup>118</sup> While the committee concluded that CIA had, on occasion, operated outside the law and had violated the rights of US citizens, it specifically rejected its chairman’s characterization that the Agency was ever “out of control” or a “rogue elephant.” Rather, the committee found that “the CIA and other intelligence agencies had made important contributions to the nation’s security and had generally performed their missions with dedication and distinction.” On the whole, it

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<sup>115</sup> CIA draft study, Vol. II, 69.

<sup>116</sup> Cary interview, 24 November 1987.

<sup>117</sup> CIA draft study, Vol. II, 68.

<sup>118</sup> Colby, *Honorable Men*, 442.

assessed the CIA to have been responsive to internal and external review and to direction by the executive branch.<sup>119</sup>

On the subject of the existing oversight arrangements within Congress, the committee found that the awareness of the Agency's overseers had been extremely limited, allowing many of the abuses identified by the committee to occur. To remedy this situation, the committee called for establishment of a permanent select committee on intelligence in the Senate to oversee CIA and the rest of the Intelligence Community. Senator Church went so far as to say this was the committee's most important recommendation inasmuch as it would go a long way to preventing abuses in the future.<sup>120</sup>

While some at the Agency resented the criticism in the committee's final report and worried that it would "provide our adversaries with a bottomless reservoir of material for anti-American propaganda and political exploitation," the Agency offered no official response to the report, fearing that whatever it might say could have a bearing on the formation of the new oversight committee that was expected to follow.<sup>121</sup>

### **The Nedzi/Pike Committees: 1975–76**

The investigating committee the House established in February 1975 under the chairmanship of Congressman Nedzi never held a hearing. From the beginning, the other six Democrats appointed to the committee—in particular Congressman Harrington—viewed Nedzi with suspicion, given his earlier role as chairman of the HASC CIA subcommittee. As Harrington said at the time, there was a general perception that Nedzi was a "co-opted congressman."<sup>122</sup>

Compounding his problem, Nedzi moved slowly to organize the committee. He did not appoint a staff director until May, and his choice did not satisfy his fellow Democrats. Sealing his fate, the *New York Times* disclosed on 5 June 1975 that the Agency had briefed Nedzi on the "Family Jewels" a year earlier and that he had done nothing about it. A storm of criticism ensued, prompting Nedzi's fellow Democrats on the investigating committee to create a CIA subcommittee chaired by Representative James Stanton (D-OH) rather than Nedzi. The subcommittee never met, but Nedzi was motivated to offer his resignation as chairman. While the House subsequently voted 290–64 to reject this resignation, as a symbolic show of its support for Nedzi, he was nonethe-

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<sup>119</sup> CIA draft study, Vol. II, 100.

<sup>120</sup> *Ibid.*, 101.

<sup>121</sup> *Ibid.*, 107.

<sup>122</sup> Smist, *Congress Oversees*, 150–53.

less allowed to step aside after the vote. On 17 July 1975, the House reconstituted the investigating committee under a new chairman, Otis Pike (D-NY).

Pike set to work immediately, holding the committee's first public hearing two weeks after he was appointed. Moreover, he announced he was firmly committed to finishing the investigation by 31 January 1976, at the time only six months away. Pike also indicated he would take a different focus than his Senate counterpart. Rather than focusing on abuses, he would look at the costs of intelligence and whether taxpayers were getting their money's worth. To assess this question, the Pike committee would evaluate the performance of the CIA and other intelligence agencies in terms of predicting events that had taken place around the world over the preceding 10 years. (See chapters 6–9 for further details of its investigation.) This inevitably raised the issue of the committee's access to intelligence production as well as access to the raw intelligence underlying such production and led to repeated confrontations not only with the Agency but also with the White House—confrontations exacerbated by the adversarial and acerbic attitudes that Pike and his senior staff brought to the negotiations.

Its composition also hampered the committee. Eight of the nine Democrats were seen as liberal and generally hostile to the Intelligence Community; three of the four Republicans were conservatives supportive of intelligence and were opposed to the investigation from the start. Pike thus had the support of the Democrats in taking a hard line with the executive branch and had little incentive or interest in building a consensus with his Republican members.<sup>123</sup>

In all, the Pike Committee conducted 28 days of public hearings. Beginning with the costs of intelligence, it then turned its attention to perceived intelligence failures by the Intelligence Community, the role of the National Security Council in covert action operations, domestic intelligence programs, and CIA internal administration. It also examined intelligence issues related to monitoring arms control agreements.

As its deadline neared, the committee staff produced a 338-page draft final report that it gave to the Agency on 19 January 1976, with one day on which to comment. The Agency's liaison protested in the strongest terms, not only to the deadline but also to the report itself, which he called "an unrelenting indictment couched in biased, pejorative and factually erroneous terms" that would give the American public a clearly distorted view.<sup>124</sup>

The committee nonetheless proceeded to approve release of the report on 23 January 1976 without substantial changes or an executive branch security

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<sup>123</sup> *Ibid.*, 158–62.

<sup>124</sup> CIA draft study, Vol. II, 146.

review, even though it had earlier agreed not to release information to the public without such review. This led the ranking minority member of the committee to take the issue to the House floor, where on 29 January 1976, the House voted 246–124, with 127 Democrats joining 119 Republicans, to suppress the publication of the report.<sup>125</sup>

Notwithstanding the House action, a version of the report was leaked to journalist Daniel Schorr, who gave it to the *Village Voice* newspaper, which published it on 16 February 1976 under the headline, “The Report on the CIA that President Ford Doesn’t Want You to Read.” Concerned by the leak, the House voted three days later to have the House Ethics Committee investigate. Ultimately, 11 days of hearings were held, and all members of the Pike Committee, as well as 32 of its staff, were compelled to testify. The source of the leak to Schorr, however, was never identified.

While the report of the Pike Committee never received the imprimatur of the House and most members largely ignored it, it did, like the Church committee report, call for the establishment of a permanent standing committee on intelligence within the House with oversight and budgetary jurisdiction over the CIA and the rest of the Intelligence Community.<sup>126</sup> Due to the sour taste left by the Pike Committee, however there was no immediate movement in the House to embrace this or other of its recommendations.

## AUTHOR’S COMMENTARY

### **The Early Congressional Arrangements: 1947–76**

It is not surprising that oversight of the CIA initially went to the armed services and appropriations committees on each side. In the Senate, the Armed Services Committee had developed and handled the law creating the CIA, and it naturally claimed jurisdiction over the entities it created. While principal responsibility for handling the CIA legislation in the House had rested with the Committee on Executive Expenditures, it did not have the same substantive expertise in national security matters that the House Armed Services Committee did. The appropriations committees had to be involved because they would have to put the Agency’s funding through the congressional process each year. Moreover, at the point these decisions were made, while it was clear CIA would be independent of the Department of Defense, it was rela-

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<sup>125</sup> Smist, *Congress Oversees*, 162–63.

<sup>126</sup> *Ibid.*, 149.

tively small and its mission not fully formed. Indeed, the most controversial part of its mission, covert action—which quickly became the largest component of its funding—did not begin to take shape until a year or so after the Agency was created. Thus, Congress gave no serious consideration at the time to treating CIA as a special case for oversight requiring a separate standing committee, a select committee, or a joint committee.

Moreover, once the jurisdictional arrangements were put in place, they were difficult to change. The powerful members who led these committees were not about to give up their jurisdictional claims over the Agency. They felt this way not simply as a matter of protecting their turf, but also as a matter of protecting the Agency from disruptive forays by other congressional committees. They had set up the CIA to work secretly against the spread of communism around the world, and they were not about to let (a chaotic) Congress interfere with that mission.

The fact that CIA's overseers were powerful members of Congress at a time when deference was paid to their positions assured their ability to control things, and as a result, CIA was spared, for the most part, searching oversight of its operations during the early part of its existence. It is also beyond dispute that the involvement of these members was crucial to putting the Agency on its feet. The exponential growth that the Agency experienced between 1948 and 1953, for example, could only have been achieved by the chairmen of the armed services and appropriations committees who together had purview over the huge defense budget (from which the increases had to come). Lesser committees could not have done it, nor would ordinary rank-and-file members have had the wherewithal to push through such increases, especially for a new, largely unproven agency.

The Agency also benefited from the fact that its subcommittees were remarkably free of partisanship during this period. The chairmen and ranking minority members of its subcommittees, by and large, worked closely together, usually reaching agreement easily on the Agency's resource needs and refusing the temptation to make political "hay" of its operational or analytical failures even after they had become public. Indeed, the historical record is virtually silent with respect to any leaks from the Agency's subcommittees during this early period.

But the very fact that the Agency's protectors in Congress were among its most respected and powerful members had its costs: they were also among its busiest members. They had no time for the minutiae of budget presentations. They wanted to know the bottom line: What did the Agency need? They wanted to know what the Agency was doing—but only in general terms. They did not want to be surprised, but they had no interest in the nuts and bolts of

the Agency's work either. They had no interest in micromanaging. While Agency managers welcomed this attitude, former Legislative Counsel John Warner spoke of a downside: "They never did learn enough about us to know how we really functioned. So they could not be active defenders."<sup>127</sup> The difficulty the Agency had in engaging with its oversight committees also made it more vulnerable to inquiries by other committees. "It's a lot easier for a DCI [to fend off other committees]," noted former Legislative Counsel George Cary, "if we have an oversight committee who isn't too busy for us . . . and is recognized to have exclusive jurisdiction over our activities."<sup>128</sup>

For a while, this kind of laissez-faire system sufficed. But, gradually, as their colleagues came to appreciate how large the Agency had grown, how widespread and problematic its activities seemed to be, and how little attention it seemed to be getting from its designated overseers, doubts began to grow in Congress about the efficacy of the existing arrangements. Indeed, as the record shows, from the mid-1950s until the mid-1970s, virtually every perceived intelligence failure by the Agency brought on renewed calls for better oversight by the Congress. The Agency spent an inordinate amount of its time and energy, in fact, worrying about such complaints and attempting to deal with them, both by urging its oversight subcommittees to do a better job and by working behind the scenes to scuttle every proposal for change.

Nothing the Agency tried, however, ultimately changed the dynamic that existed from the start with its oversight subcommittees. Despite its controversial mission, the Agency was still "too small a potato"—compared with the Department of Defense—for its congressional protectors to allot much of their time to. Former Legislative Counsel George Cary later reflected that the CIA subcommittee chairmen

*had more than they could handle in overseeing the Department of Defense. That can keep Members totally occupied. The intelligence business can also keep Members totally occupied. . . . When you put those two responsibilities on one set of people, something is going to give. Something is going to come up short. The intelligence business came up short. . . . Members just didn't have enough time to do what they should have done.*<sup>129</sup>

Ultimately, the relative inattentiveness of its overseers did not serve the Agency's long-term interests well. It led to mistrust and resentment in much of Congress, and when the Agency's operations came under challenge on

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<sup>127</sup> Warner interview, 27 September 1996, 40.

<sup>128</sup> Cary interview, 30 September 1983, 16.

<sup>129</sup> *Ibid.*, 12.



many fronts in the early 1970s, its oversight subcommittees were in no position to defend it. Indeed, the allegations of Agency misconduct that were so prevalent during this period that critics began to question the effectiveness of the existing oversight system itself. The CIA subcommittees had never probed what the Agency was doing; they simply didn't know. Had they taken a more active role, problems might have been prevented.

However appealing cursory congressional oversight might seem, in the end it undermines congressional, as well as public, support for the Agency. Better to have overseers who understand and are able to defend the Agency's interests than to have overseers who are largely ignorant of them.

This experience also demonstrates that if oversight responsibility is placed in the hands of committees that have other significant oversight responsibilities, oversight of the Agency will likely never be more than cursory, whatever the Agency may do. Those in Congress who do oversight of the Agency ought to be members who have the time to devote to it, and they should have an appropriate number of able staff to assist them.

### **The Joint Committee "Panacea"**

Looking back over the Agency's early history, it is remarkable how often the idea of a joint committee on intelligence was offered up in Congress as the panacea to the existing oversight arrangements. Beginning with the first Mansfield resolution in 1953 until the creation of the select committees in the mid-1970s, it was the notion of a "joint committee" that reformers always turned to, and the Agency, together with the administrations it served during this period, consistently rejected. Why was this so? Seemingly, from the standpoint of reformers, combining oversight of the CIA into a single committee would reduce, rather than increase, the amount of oversight the Agency was getting. Similarly, one would expect the Agency to find dealing with one committee preferable to dealing with four, not only to reduce the potential for damaging leaks but also to alleviate the burden of keeping multiple committees informed.

In fact, Agency records reflect that it did seriously consider whether a joint committee might better serve its interests when Mansfield first raised the idea in 1953. It was also considered at other points along the way, notably when John McCone became DCI and was confronted with the same issue. Each internal reexamination, however, always resulted in the same position: vehement opposition to a joint committee.

The model that both the reformers and the CIA had to work with in these early days provides part of the explanation. Congress had created the Joint

Atomic Energy Committee (JAEC) in 1946 to be its watchdog over the US atomic energy program, which, like the CIA, was considered a sensitive area for congressional oversight. Unlike other joint committees, the JAEC was given legislative authority to report bills to the floors of both houses and, among other things, was charged with oversight of, and authorizing appropriations for, the Atomic Energy Commission. The committee was composed of senior members on both sides for whom the JAEC was their principal preoccupation. It had a large professional staff to support it and carried out most of its work in secret. The JAEC was abolished in 1977 but during the early part of its existence enjoyed widespread respect in the Congress.

From the standpoint of the reformers, the JAEC model offered a preferable alternative to the CIA subcommittees because it was thought that, at the very least, Congress would have the benefit of an independent review of the Agency's operations by a dedicated professional staff. The Agency was concerned about a joint committee for precisely the same reason. Under the existing system, this staff capability did not exist. Staff was briefed, but it did not probe.

It is also clear from the Agency's records that its leaders were concerned about offending the powerful chairmen of its oversight subcommittees. In fact, the longer the Agency enjoyed their protection and support, the harder it was to endorse a different oversight arrangement. While the Agency might have taken a different position vis-à-vis a joint committee in 1953, there was no going back when McCone considered the issue in 1962. From time to time, members of the CIA subcommittees themselves endorsed the idea of a joint committee, but the chairmen of these subcommittees never did, and the Agency, understandably, did not wish to lose their support.

### **The Personalities, Attitudes, and Circumstances of the Early DCIs**

The Agency's fortunes on Capitol Hill to some degree have always been a function of how the committees with responsibility for the Agency perceived the DCI: the greater the level of trust, the greater the level of comfort in terms of how the Agency is operating. But especially during the early years, when so much of the interaction between the Agency and the Congress was informal and personal, how the DCI was perceived on the Hill was a key factor in setting the terms of the relationship.

President Truman appointed four men to serve as DCI during his presidency. All were general or flag officers. RADM Sidney Souers, the first, accepted the appointment reluctantly. He had been planning to retire after the war and return to his native Missouri. The organization he was being asked to

lead, the Central Intelligence Group (CIG), not only was yet to be formed, but outside influences would greatly circumscribe its activities. It would be dependent upon other agencies for its funding and operate under the authority of a committee. Not surprisingly, Souers took the first opportunity to leave, less than six months into the job. While recognizing that the CIG needed independent funding and authority that only Congress could provide, Souers did not stay long enough to broach the matter with Congress.

That task fell to his successor, LTG Hoyt Vandenberg. At the time of his appointment, Vandenberg was chairing the advisory board for the CIG, created as part of Truman's executive directive. Assertive, with wartime experience in intelligence, Vandenberg also had the advantage of being politically well-connected. He was the nephew of Senator Arthur Vandenberg (R-MI), who was elevated to the chair of the SFRC the same year his nephew became DCI. Vandenberg sought and obtained permission from the White House to seek legislation for the CIG, giving it an independent status. Fortunately for Vandenberg, there was a legislative vehicle in the works that would clearly become law—what became the National Security Act of 1947—that could be used for this purpose. Had the creation of the CIA required free-standing legislation, the bill would have attracted more attention, and its enactment would have been far less certain.

Notwithstanding his instrumental role in obtaining legislation to establish the Agency as an independent entity, however, General Vandenberg saw his future elsewhere. Two months before the National Security Act of 1947 was enacted, he resigned as DCI in order to position himself to become the first chief of staff of the Air Force, which the law also created.

To replace him, Truman appointed RADM Roscoe Hillenkoetter in May 1947. When the National Security Act passed two months later, Truman re-appointed him as the first "statutory" DCI. While his confirmation was perfunctory, it probably owed much to the fact that he was already in the job. While he had had tactical intelligence experience during the war and had served as naval attaché in Paris after the war, he was relatively low-ranking (compared to Vandenberg) and was unaccustomed to dealing with the Congress or the upper reaches of official Washington. His dour, low-key style did not make it any easier for him, particularly when he had to testify at several contentious hearings in defense of the Agency's analytical performance in predicting the riots in Bogota in 1948, the Soviet atomic bomb test in 1949, and North Korea's invasion of the South in 1950 (see chapter 7). He was prone to take offense at hostile questioning, however persuasive the case he had to make. In defending the Agency's performance with regard to predicting the North Korean invasion, he also managed to bring the Truman administration into the line of fire, implying that it had failed to act on the Agency's

information. This appears to have contributed to Truman's decision to replace him in October 1950 with LTG Walter Bedell "Beetle" Smith.

Smith was the best known and most accomplished of Truman's appointees as DCI. He had served as Eisenhower's chief of staff during the war and had been ambassador to the Soviet Union for three years prior to accepting the DCI position. His appointment received broad, enthusiastic acclaim within Congress. His bearing toward members was "deferential, responsive, and soldierly," according to one account, and his popularity was based more on respect than personal warmth.<sup>130</sup> Smith was also far more adept than his predecessor at navigating the bureaucratic shoals of the executive branch and took charge of the CIA with a blunt, no-nonsense style. His appointment also came at a critical juncture—when the war in Korea was intensifying. It fell to Smith not only to brief Congress on the war but also to keep the CIA subcommittees informed of the Agency's operational activities in support of the war effort. Having someone of Smith's stature and demeanor in charge of the Agency at this point lent credibility to both its analysis and its operational achievements. Indeed, Smith's tenure awakened many in Congress to the existence of the CIA.

When Smith's former boss, General Eisenhower, was elected president in 1952, there was naturally speculation that Smith might be asked to stay on. But Eisenhower had other plans for him, as under secretary of state. To succeed Smith, Eisenhower chose Allen Dulles, who was serving as DDCI at the time. Dulles was not only the first civilian but also the first intelligence professional to be appointed DCI. But what made his appointment truly unique was that Eisenhower appointed his brother, John Foster, as secretary of state. Rather than detracting from his credibility as DCI (by being too close to his political bosses), this happenstance only added to Dulles's charisma.

Dulles was already well known on Capitol Hill when his appointment was announced. Gregarious, bright, and engaging, he had an easy time making friends and enlisting confidants among his congressional overseers. At times, in fact, his penchant for talking with the Hill led to admonitions from the White House. There were also times when his contacts led to confrontation, notably his clashes with Senator Stuart Symington over Soviet strategic capabilities in the last half of the 1950s (see chapter 3). But overall, Dulles was a master at dealing with Congress, especially the leaders of his subcommittees. Preferring informal tête-à-têtes to formal meetings, Dulles easily ingratiated himself with these men and quickly earned their confidence.

Had they not had such confidence in Dulles, they may not have been quite so passive in their own oversight. Nor might they have shown such tenacity in

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<sup>130</sup> Montague, *Bedell Smith*, 256.

fending off the reformers who were urging a more intrusive role for the Congress. Even during Dulles's most trying hour—the aftermath of the Bay of Pigs fiasco—the Agency's overseers were not among those calling for his resignation. While they understood President Kennedy's decision to fire him, they refused to lead the charge against him (see chapter 9).

Dulles's successor as DCI, John McCone, lacked his personal charm as well as his intelligence background but brought other strengths to the job. Coming on the heels of an intelligence operation that had created worldwide embarrassment for the country, the appointment of an outsider to head the Agency—a “no nonsense” Republican businessman and “hard-line” anticommunist—was intended to provide assurance that the Agency's operations were being placed in competent hands. When his nomination received more negative votes than any DCI to that juncture (12), McCone set out to prove his worth to those senators who had voted against him.

In fact, by virtue of his prior service as under secretary of the air force and as chairman of the Atomic Energy Commission, McCone already understood the dynamics of the legislative-executive relationship and had proven adept in dealing with members. While lacking the personal flair of Dulles, he did not shy away from contacts with Capitol Hill; rather he sought hard to develop them, believing that the more the Agency's overseers understood about the Agency, the better position they would be in to fend off more intrusive oversight arrangements. One congressman described his presentations to the CIA subcommittees as “straight and unadulterated, the way we liked it.”<sup>131</sup>

After the Kennedy assassination, President Johnson kept McCone on, but the two men had distinctly different personalities as well as policy views, differing in particular on the appropriate course of action in Vietnam. When Johnson was elected president in his own right in the fall of 1964, McCone announced his intent to resign within a few months.

To replace McCone, Johnson appointed a retired Navy admiral, William Raborn, who had headed the Navy's Polaris program. Enthusiastic, ebullient by nature, Raborn had dealt frequently and successfully with the armed services committees as a program manager and was anxious to reinstitute the same kind of relationship from his new post. His lack of experience in both intelligence and foreign affairs, however, led to occasional “faux pas” before the Congress and proved difficult for him to overcome.<sup>132</sup> He did not put in the time necessary to master these subjects and left it to others to run the Agency's day-to-day

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<sup>131</sup> Robarge, *John McCone*, 75.

<sup>132</sup> White interview, 7 January 1998, 40.

operations. In time, word leaked to the press that he was ruining morale. A little over a year after being appointed, Raborn offered his resignation.

Raborn's deputy, Richard M. Helms, replaced him in June 1966 largely because he offered what Raborn did not: a career spent in intelligence and foreign affairs. Helms by this point was well known to the CIA subcommittees and, while he did not possess the effusive personality of either Dulles or Raborn, was highly regarded for his professionalism. Helms took a reserved, businesslike approach to dealing with his congressional overseers. Not one for gratuitously offering up the details of intelligence operations, however titillating they might be, he was prepared to tell the leaders of the CIA subcommittees what he believed they needed to know. Above all, he did not want them to be surprised by something that appeared in the press. Where rank-and-file members were concerned, Helms made less of an effort to ingratiate himself, but even here, he later said, he always tried to level with members, giving them the facts without embellishment. Over time, this approach earned Helms broad respect within the Congress.

During the last three years of Helms's tenure as DCI, however, a tide of mistrust and disillusionment with the government, fueled first by the war in Vietnam and later by the Watergate scandal, swept the country. Relations between the executive branch and the Congress were frostier than they had been for a long time. CIA itself was particularly susceptible to congressional mistrust, not only because it was associated with the policies of the administration but also because, in important ways, it operated in secret outside legislative control.

The old system of *laissez-faire* oversight was breaking down. Most of the members on both sides who had protected the Agency during its early years had died or left their positions. Even those who remained in charge grew increasingly sensitive to criticism that their committees had failed to provide adequate oversight where the Agency was concerned. When HASC Chairman Edward Hebert appointed a political liberal, a junior congressman from Michigan named Lucien Nedzi, to chair the CIA subcommittee in 1971, he signaled a clear break with the past. Nedzi, in fact, did what none of his predecessors had done—he set out to educate himself with respect to the Agency and its operations. Without other committee responsibilities to distract him, he made repeated visits to CIA Headquarters, received numerous briefings, and held frequent, substantive hearings. The Agency leadership, once it assessed him as serious and responsible, welcomed his interest and attention. For years, in fact, the Agency had sought to provide its congressional overseers with a more in-depth understanding of its work, believing that improved understanding would redound to its benefit, but rarely had they had the time.

Also marking a turning point in terms of congressional interaction with the Agency was the Watergate scandal. Not only did Nedzi's subcommittee investigate CIA's role in it, but the Senate Watergate Committee did as well. Both committees were given unprecedented access to CIA records and personnel. Fortunately for the Agency, Helms rebuffed the Nixon administration's efforts to involve it in the cover-up in the summer and fall of 1972. But Helms's refusal to cooperate obviously did not ingratiate him with the administration, and when Nixon was reelected in November 1972, Helms was told he would be replaced.

The appointment of James Schlesinger as Helms's successor in January 1973 did not attract much controversy. The Watergate burglary had seemingly been put to rest by this point, and Schlesinger was regarded as a tough-minded outsider, whose track record at the Office of Management and Budget led observers to expect him to bring greater fiscal discipline to the Agency. Soon after Schlesinger took office in January, however, the Watergate scandal began to unravel. On 9 May 1973 when Schlesinger learned for the first time that CIA had developed photographs taken during the burglary of Daniel Ellsberg's psychiatrist's office, he hit the roof, demanding to know anything else the Agency had done that might be considered improper. This, in turn, led to the 693-page collection of alleged misdeeds that came to be known as the "Family Jewels."

Nixon's choice to succeed Schlesinger was William E. Colby, who had been serving as executive director of the Agency and then deputy director for operations since 1972, first under Helms, then under Schlesinger. A lawyer by training, Colby had served in the OSS during the war and had had a long career in Agency operations. He was known to many in Congress, principally for his involvement in the Vietnam War during the 1960s; his role in the Phoenix program, a South Vietnamese program intended to identify Viet Cong and Viet Cong sympathizers in the villages of the country had brought him unwelcome notoriety. Colby had staunchly defended the Agency's involvement in the program before Congress in 1970—against charges that it had been an "assassination" program—it remained the principal issue he had to deal with at his confirmation hearing.

It was the "Family Jewels," however, that ultimately became Colby's undoing and led to the demise of the existing oversight arrangements on Capitol Hill. Although Colby had been nominated on 10 May 1973, the SASC had to put off his confirmation hearings until July while its chairman, John Stennis, recuperated from a street shooting. In the meantime, the CIA inspector general completed pulling together the "family jewels." Although Colby immediately took action to end what he regarded as the more objectionable practices, he also felt obliged to tell the chairmen of the SASC and HASC, as well as

Nedzi, of the “Family Jewels” before his confirmation hearings. All agreed that the matter should not be surfaced.

A year and a half later, however, in December 1974, the *New York Times* published a front-page story describing a “laundry list” of alleged CIA abuses, based largely on information leaked from the “Family Jewels.” This, in turn, led the Senate and House to create separate committees—the Church and Pike Committees—to investigate the Agency.

Colby wanted to cooperate with the investigations—he firmly believed that Congress had a right to know about the Agency’s operations—but he was also concerned with protecting them. In this regard, he was no different than most of his predecessors as DCI. But instead of oversight carried out in members’ offices or over cocktails at the end of the day, Colby was facing oversight of a different kind: oversight carried out in the glare of the public spotlight, by members who had little knowledge of, or appreciation for, the work of the Agency. Rather than dealing with a supportive group of congressional veterans, Colby found members—some young firebrands—who were hostile and confrontational. Colby came back to the Agency after his first closed hearing in the Senate saying he had been “treated like a criminal.”

Colby’s personality undoubtedly contributed to his woes. He was not a gregarious, backslapping sort but low-key and aloof. At times he could seem cold and distant, and members had difficulty reading him. While respected as an intelligence professional, he was never seen as entirely forthcoming by the chairmen of either of the investigating committees he had to deal with.

Colby’s failure to establish a better relationship with Church and Pike also owed as much to their personalities and circumstances as to his. While Senator Church had had considerable exposure to the CIA by virtue of his long service on the SFRC, he announced shortly after accepting the chairmanship of the investigating committee that he intended to run for president in the 1976 election. This inevitably led to an investigation that was more sensational, more controversial, and more political than it otherwise would have been. Indeed, that the Church Committee was able to pull together at the end and issue a credible, bipartisan final report owed more to the fact its chairman was away on the campaign trail than actively involved in its work. On the House side, Congressman Pike was appointed to lead the investigation only after it had come to light that Nedzi, who had originally been appointed to head the investigating committee, had seen the “Family Jewels” and done nothing about them. In other words, Pike was appointed precisely because he was not “tainted” by past involvement with the CIA. From the outset, he made it clear that it was “us against them”—CIA was the enemy. Pike made life miserable for the Agency for six months, ultimately reneging on his own commitment



not to publish a report that had not been subject to security review by the executive branch.

Ironically, the Ford administration viewed Colby as being too forthcoming with the Church and Pike Committees and not forthcoming enough with the administration. In November 1975, the decision was made to fire him. Not surprisingly, the man chosen to replace him—George H.W. Bush—was a former member of Congress, the first ever to be nominated for the DCI's position.

Bush proved to be the calming influence President Ford had hoped for but resigned after the 1976 presidential election, too soon to play a significant role in shaping the new oversight arrangements that grew out of the Church and Pike investigations. The SSCI was still being organized in the fall of 1976; the HPSCI was not created until the following year.

While it is likely that the old system of congressional oversight would have given way during the 1970s without the Church and Pike investigations—perhaps evolving along the lines of the HASC/Nedzi model—the creation of select committees in the mid-1970s dedicated to the oversight of the CIA and other intelligence agencies was a direct result of these tumultuous investigations. The disclosure that prompted them was the *New York Times* story published in December 1974, which could not have been written if the “family jewels” had never been compiled. And the “family jewels” were compiled only because a DCI who was relatively new to the job and unused to dealing with scandal had, in a fit of anger, ordered them to be.