

OLC 77-1650/a
4 May 1977

STATINTL

MEMORANDUM FOR:

FROM STATINTL :

SUBJECT : Draft Paper: "The Roles of the DCI..."
(PRM-11, Task 2)

REFERENCE : Your Memo dated 27 April 1977, same subject

Please see the attached Action Plan on congressional oversight in connection with III. , I. of PRM-11, Task 2. We do feel that the Spokesman to Congress role (in its oversight as opposed to its substantive intelligence mode) would be affected by organizational changes, especially those effected through statute. The oversight committees responsible for such a statute, assuming it amounts to an aggrandizement of the DCI's authority and responsibilities, most likely will reclaim turf which has been lost during the proliferation era. Simply put, congressional oversight and the power that goes with it reflect the way things are organized in the Executive Branch. If significant organizational changes occur, particularly through statute, the DCI and oversight committee relationship most likely will be adjusted.

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Attachment

- D. Legislation - When legislation which may inadvertently impair sensitive lawful intelligence activities is considered by another committee, the Joint Committee should be used as the conduit for understanding the problem and seeking an appropriate remedy with the other committee by using the investigative and fact-finding resources of the Joint Committee to assure that the problem is real and the remedy sound but avoiding revelation of sensitive details. Again, the record could be made available to appropriate leadership outside the committee, but the sensitive details would be preserved from unnecessary disclosure or confirmation.
12. House Select Committee - If a Joint Committee with all its advantages is not achievable in the near future, a House committee paralleling the Senate Select Committee on Intelligence should be established which would concentrate exclusive oversight in that committee and stop proliferation of sensitive information beyond that committee and the Appropriation Subcommittee which considers budget requests. As part of that concentrated oversight in the covert action field, the Hughes-Ryan Amendment would have to be repealed or amended. Designees from the House International Relations Committee could be watchful for foreign relations interests and, if they are not designees, perhaps the Chairman and Ranking Minority of that Committee could also sit in on covert action briefings.