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Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities
(The Church Committee)

Resolution passed: January 27, 1975
Report issued: April 29, 1976

Chairman: Frank Church (D-ID)
Vice chairman: John Tower (R-TX)

Committee members:
Howard Baker (R-TN)
Barry Goldwater (R-AZ)
Gary Hart (D-CO)
Philip Hart (D-MI)
Walter Huddleston (D-KY)
Charles Mathias (R-MD)
Walter Mondale (D-MN)
Robert Morgan (D-NC)
Richard Schweiker (R-PA)

Origins

In 1973 the Senate Watergate committee investigation revealed that the executive branch had used national intelligence agencies to carry out constitutionally questionable domestic security operations. In 1974 investigative journalist Seymour Hersh published an exposé in the *New York Times* uncovering a CIA domestic spy operation in violation of the agency's charter that had been ongoing for more than a decade.[1] Former CIA officials and some lawmakers, including Senators William Proxmire and Stuart Symington, called for a congressional inquiry.[2]

Process

On January 21, 1975, Senator John Pastore introduced a resolution to establish a select committee to investigate federal intelligence operations and determine "the extent, if any, to which illegal, improper, or unethical activities were engaged in by any agency of the Federal Government."[3] The resolution passed overwhelmingly with a vote of 82-4.

Majority Leader Mike Mansfield cautioned "the Senate against letting the affair become a 'television extravaganza.'"[4] He selected Democrat Frank Church of Idaho, who lobbied aggressively for the position, as chairman. Church was known to have presidential ambitions and some wondered if a potential presidential candidate was the best choice. Church was well-qualified, however, to lead such an investigation. As a 16-year member of the Committee on Foreign Relations he recognized the strategic value of the nation's top intelligence agencies and

was also mindful of the need for American institutions to function within the confines of U.S. constitutional law. Church pledged that "the primary thrust of the hearings would probably concern 'possible misdeeds relating to the American people.'"[5] One journalist observed that Church's presidential "ambition" could prove an asset to the inquiry. "The public will be watching him closely to see if he tries to make political hay out of his chairmanship. If it perceives that he is, he will be harmed," in the eyes of the American electorate.[6]

Public Relations

The committee struggled to win the approval of the American people from the time of its creation. One opinion poll in late 1975 found that only 38 percent of Americans viewed the committee's work favorably.[7] Some believed that Church used the investigation to gain publicity for his presidential bid. Others worried that the inquiry weakened the U.S. position abroad by undermining the credibility of U.S. intelligence agencies. American entertainer Bing Crosby expressed these concerns in a November 1975 letter to Senator Church. "What useful purpose is served by all these investigations and disclosures about the activities of the CIA and FBI?" Crosby asked. Articulating a commonly-held belief he asserted that "90% of the American public doesn't care to know" about secret intelligence activities and that "the damage being done to our international image is irreparable." Crosby concluded that the inquiry served only to satisfy "the insatiable appetite of the media for sensationalism."[8]

A tragic event focused further criticism on the Church Committee. On Christmas Day 1975 masked terrorists assassinated Richard Welch, CIA station chief in Greece, outside his home as he returned from a party. The *Washington Post* eulogized Welch as an American hero and suggested CIA critics were partly responsible for his death.[9] Church later recalled that the Welch murder became "*the* event," diverting the public's attention from the committee's focus on intelligence abuses. Thousands of Americans flooded Church's office with letters calling on the chairman to end the investigation. Church defended the committee's work, citing "the right of the public to know what the instrumentalities of their Government have done."[10]

Investigation

In addition to lacking critical public support, the committee faced a number of challenges. The White House believed the Senate investigation to be unnecessary. President Gerald Ford ordered an internal inquiry of the CIA, led by Vice President Nelson Rockefeller, in early 1975 and issued an executive order to reorganize the intelligence community. Throughout the committee's investigation the White House resisted cooperating with investigators, citing issues of executive privilege, and national security secrets, and expressing concern that lawmakers would leak sensitive information. At a White House meeting with Senators Church and John Tower, Ford explained, "We are a great power and it is important that we be perceived as such—that our intelligence capability to a certain extent be cloaked in mystery and held in awe."[11] Though the White House resisted cooperation, other agencies flooded the committee staff with documents. Even with a staff of 150 people, organizing and analyzing these materials proved an arduous task.

Occasionally, the committee divided along party lines. Tower and Barry Goldwater believed that congressional investigations like Watergate had weakened national intelligence agencies by exposing them to unprecedented scrutiny. Tower later recalled that Minority Leader Hugh Scott had asked him to serve as the G.O.P.'s "damage control officer."[12] Working closely

with the White House, some Republicans sought to limit the scope of the inquiry and delay or restrict the release of committee reports that they believed were harmful to the national interest.

Despite numerous challenges, the Church committee investigated intelligence abuses by federal agencies, including the CIA, FBI, Internal Revenue Service, and National Security Agency. In the course of their work, investigators discovered programs that had never before been known to the American public, including a CIA program to assassinate foreign leaders. Committee staff researched the FBI's long-running program of "covert action designed to disrupt and discredit the activities of groups and individuals deemed a threat to the social order," known as COINTELPRO. The FBI had included among its many targets organizations such as the Southern Christian Leadership Conference, the anti-Vietnam War movement, and individuals who spoke out against U.S. foreign and domestic policy, including local, state, and federal elected officials. [13]

Outcome

After holding 126 full committee meetings, 40 subcommittee hearings, interviewing some 800 witnesses in public and closed sessions, and combing through 110,000 documents, the committee published its final report on April 29, 1976.[14] Investigators reported that, beginning with President Franklin Roosevelt's administration and continuing through the early 1970s, "intelligence excesses, at home and abroad," were not the "product of any single party, administration, or man," but had developed as America rose to a become a superpower during a global Cold War.[15]

"Intelligence agencies have undermined the constitutional rights of citizens," the final report concluded, "primarily because checks and balances designed by the framers of the Constitution to assure accountability have not been applied."[16] In a separate appended view, Senator Tower acknowledged "intelligence excesses" and the "need for expanded legislative, executive, and judicial involvement in intelligence policy and practices." He cautioned, however, that Congress should not "unnecessarily" restrain the president from exercising discretion in the realm of national security.[17] The final report included 96 recommendations, legislative and regulatory, designed "to place intelligence activities within the constitutional scheme for controlling government power." The committee observed that "there is no inherent constitutional authority for the President or any intelligence agency to violate the law," and recommended strengthening oversight of intelligence activities.[18] In 1976 the Senate approved Senate Resolution 400, establishing the Senate Select Committee on Intelligence, to provide "vigilant legislative oversight over the intelligence activities of the United States to assure that such activities are in conformity with the Constitution and laws of the United States."[19] In 1978 Congress approved and President Jimmy Carter signed into law the Foreign Intelligence Surveillance Act (FISA), requiring the executive branch to request warrants for wiretapping and surveillance purposes from a newly formed FISA Court.

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[1] Seymour Hersh, "Huge C.I.A. Operation Reported in U.S. Against Antiwar Forces, Other Dissidents," *New York Times*, 22 December 1974, 1.
[2] Seymour Hersh, "Proxmire to Seek Inquiry on C.I.A. Over Role in U.S.," *New York Times*, 23 December 1974, 1.
[3] Senate Resolution 21, 27 January 1975, Sec. 1.
[4] Theo Lippman, "Idaho's Frank Church: Another Fulbright or Another Kennedy?" *The Sun*, 19 May 1975, A10.
[5] John M. Crewdson, "Church Says Colby is Lifting Secrecy for C.I.A. Inquiry," *NY Times*, 28 Feb 1975, 10.

[6] Ibid.
[7] LeRoy Ashby and Rod Gramer, *Fighting the Odds: The Life of Senator Frank Church*, Pullman: Washington State University Press, 1994, 485.
[8] Crosby to Church, MSS 056 Frank Church Papers, Series 2.6 Select Committee to Study Governmental Operations with Respect to Intelligence Activities, 1966-1980, Box 1, Folder 2, 1975 March-December, Boise State University Library, Special Collections and Archives.
[9] Richard S. Welch, *Washington Post*, 29 Dec 1975, A16.
[10] Ashby and Gramer, *Against All Odds*, 485.
[11] Ibid., 473.
[12] Ibid.
[13] U.S. Congress, Senate, Select Committee to Study Governmental Operations with Respect to Intelligence Activities, *Intelligence Activities and the Rights of Americans*, 94 Cong., 2d sess., 1976, 1.
[14] Ibid., book II, iii, ix.
[15]Ibid., viii.
[16] Ibid., 289.
[17] *Final Report*, book I, 573-4.
[18] *Final Report*, book II, iii; book I, 296-297.
[19] S.R. 400, 19 May 1976.