Resolved, That it is the purpose of this resolution to establish a new select committee of the Senate on Intelligence, to oversee and make continuing studies of the intelligence activities of the United States Government, and to submit to the Senate appropriate proposals for legislation and report to the Senate concerning such intelligence activities and programs. In carrying out this purpose, the Select Committee on Intelligence shall utilize the executive and legislative branches to make sound decisions affecting the security and the Nation. It is further the purpose of this resolution to provide vigilant legislative oversight over the intelligence and military activities of the Federal Government and to ensure that such activities are in conformity with the Constitution and laws of the United States.

SEC. 2. (a) (1) There is hereby established a select committee to be known as the Select Committee on Intelligence (hereinafter in this resolution referred to as the "select committee"). The select committee shall be composed of 14 members appointed as follows:

(A) two members from the Committee on Appropriations;
(B) two members from the Committee on Armed Services;
(C) two members from the Committee on Foreign Relations;
(D) two members from the Committee on the Judiciary; and
(E) seven members to be appointed from the Senate at large.

(2) Members appointed from each committee named in clauses (A) through (D) of paragraph (1) shall be evenly divided between the two major political parties and shall be appointed by the President pro tempore of the Senate on the recommendations of the majority and minority leaders of the Senate. Four of the members appointed under clause (E) of paragraph (1) shall be appointed by the President pro tempore of the Senate upon the recommendation of the majority leader of the Senate and three shall be appointed by the President pro tempore of the Senate upon the recommendation of the minority leader of the Senate.

(3) The majority leader of the Senate and the minority leader of the Senate shall be ex officio members of the select committee but shall have no vote in the committee and shall not be counted for purposes of determining a quorum.

(b) No Senator may serve on the select committee for more than eight years of continuous service, exclusive of service by any Senator on such committee during the Ninety-fourth Congress. To the greatest extent practicable, one-third of the Members of the Senate appointed to the select committee at the beginning of the Ninety-seventh Congress and each Congress thereafter shall be Members of the Senate who did not serve on such committee during the preceding Congress.

(c) At the beginning of each Congress, the Members of the Senate who are members of the majority party of the Senate shall elect a chairman of such committee, and the Members of the Senate who are from the minority party of the Senate shall elect a vice chairman of such committee. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. Neither the chairman nor the vice chairman of the select committee shall at the same time be chairman or ranking minority member of a committee of the Senate referred to in paragraph 6(f) of rule XXVI of the Standing Rules of the Senate.
a matter otherwise within the jurisdiction of such committee.

Note: This resolution shall be construed as amending, limiting, or otherwise

wasting the authority of any standing

Senate committees to conduct the full

and prompt access to the product of the in-
telligence activities of any department or

agency of the United States, to the extent

otherwise within the jurisdiction of such
committees.

The select committees, for the

purposes of accountability to the Senate,
shall make regular and periodic reports to
the Senate, and the use and extent of such
intelligence activities of the various depar-
tments and agencies of the United States.
Such conduct shall promptly call to the
attention of the Senate or any other ap-
propriate committees or committees of the
Senate any matters requiring the attention
of the Senate or any other appropriate
committees or committees of the Senate
or any other matters required by the
Senate to be brought to the attention of
such committees.

Sec. 6. The select committee shall submit to the chair each year
its annual report to the Senate on the

request of such committee shall be given ac-

cess to any classified information by such
committee which shall be in the custody of such
employee or person has (1) agreed in writing and under oath to be bound by the rules of the Senate (in

the Select Committee on Standards and Conduct) and of such

committee as to the security of such information; (2) before the period of his employment or contractual

agreement with such committee; and (3) determined by such

committee to be appropriating such information as determined by such committee with the Director of Central
Intelligence, to be commensurate with the sensitivity of the
information to the needs of such committee.

Sec. 7. The select committee shall formu-
late and carry out such rules and pro-
cedures as it deems necessary to prevent the

disclosure, without the consent of the person

or person or person or any information related to the

information, to prevent or deter the

possession of such committee which un-
duly infringes upon the privacy or which

publicly or in closed session of such

person or persons. Nothing herein shall be

construed to prevent such committees from

public inquiry or investigation in such cases

the public interest would be served by such disclose.

Whenever committees action is required to disclose

any information under this section, the

committees shall meet to vote on the

matters within five days after any member of

the committees requests such a vote. No member of

the select committees shall disclose

any information, the disclosure of which

requires the vote of the Senate, prior to a vote by

the committees on the question of the disc-

losure of such information or after such vote except in accordance with this section.

(b) (1) In any case in which the select

committees shall require a member of any such

information which has been classified under

established security procedures, which has

been classified by the executive branch, and which the executive branch requests to be kept secret, such

committees shall notify the President of the

propriety of the classification.

(2) The select committee may disclose

publicly such information after the expira-
tion of a five-day period following the day

on which notice of such vote is transmitted to the

President, unless, prior to the expiration of such five-day period, the President, per-

sonally in writing, notifies the committees

that he objects to the disclosure of such

information. Such notice shall be furnished

thereafter, and certifies that the threat to the national

interest of the United States posed by such disclose is outweighed by such

any public interest in the disclose.

(3) If the President, personally in writing, notifies the select com-

mittees of his objections to the disclose of such information as provided in paragraph (2), such commit-

tees may by resolution of the Senate, in accordance with the provisions of section 203 (1) of the

Legislative Reorganization Act of 1946, amend the resolution of the Senate for consideration. The

committees shall submit to the Senate such Information without leave of the Senate.

(4) Whenever the select committees votes to release the disclosure of any information to the Senate under paragraph

(3), the Senate shall, not later than the first day on which the Senate is in session following the day on which the vote occurs, receive the information in its

consideration.

One hour after the Senate convenes or at any other time the President may set

in closed session following the day on which any such

information is to be released or at such meeting of the Senate and shall be

the pending business. In the case of any matter in closed session the Senate

may—

(A) approve the public disclosure of all or any portion of the

information in question, in which case the committees shall publicly

disclose the information ordered to be disclosed;

(B) disapprove the public disclosure of all or any portion of the

information in question, in which case the committees shall not

disclose the information ordered not to be disclosed,

or

(C) any other portion of the information in ques-
tion, in which case the committees shall immediately

disclose the information according to the

recommendations of the advisory

committee on information.

Upon conclusion of the consideration of

such information, the Senate shall not extend beyond the close of the

Senate or the close of the fifth day following the day upon which such

information shall be presented to the Senate, or the close of the

day upon which such information shall be presented to the Senate, or the close of the fifth day following the

day upon which any such information shall be presented to the Senate

in accordance with section 123 (f) of the

Legislative Reorganization Act of 1946 (whichever

the case may be), the Senate shall immedi-

ately vote on the disposition of such matter in

open session, without debate, and with-

out divulging the information in question except

as provided in paragraph (2).

The Senate shall vote to dispose of such

information by one or more of the means specified in

subsections (A), (B), and (C) of the

second sentence of this paragraph. Any vote of the

Senate to dispose of any information pursuant to

the resolution of the Senate for reconsideration of the vote within the

privileges of the Senate.

In the case of any information classified under the

Standing Rules of the Senate, and the disclosure of such information shall be

classified or communication with the

committees or any agency of the United States which has

been classified under established security procedures, which has

been classified by the executive branch, and which the executive branch

requests to be kept secret, such

committees shall notify the President of the

propriety of the classification.

(2) The select committee may disclose

publicly such information after the expira-
tion of a five-day period following the day

on which notice of such vote is transmitted to the

President, unless, prior to the expiration of such five-day period, the President, per-

sonally in writing, notifies the select committee of his objections to the disclosure of such information as provided in paragraph (2), such commit-

tees may by resolution of the Senate, in accordance with the provisions of section 203 (1) of the

Legislative Reorganization Act of 1946, amend the resolution of the Senate for consideration. The

committees shall submit to the Senate such Information without leave of the Senate.
section (c) and to report to the Senate concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is the subject of an investigation the Special Committee on Standards and Conduct shall release to such individual at the conclusion of such investigation any evidence, testimony, or other data as constitutes the investigation together with its findings.

(f) At the conclusion of its investigation, the Select Committee on Standards and Conduct shall determine whether there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, employee of the Senate, it shall report its findings to the Senate and recommend appropriate action. Any person expelled from committee membership, or expulsion from the Senate, in the case of Member, or removal from office by the Senate, in the case of an officer, shall also be subject to such remedies as the Senate may determine.

Sec. 9. The select committee is authorized to have a real union of any personal representatives of the President, designated by the President to serve as a liaison to such committee, to attend any closed meeting of such committee.

Sec. 10. Upon expiration of the Select Committee on Governmental Operations With Respect to Intelligence Activities, established by Senate Resolution 21, Ninety-Fourth Congress, all records, files, documents, and other materials relating to the conduct, custody, or control of such committee, under appropriate conditions established by it, shall be transferred to the Senate Committee.

Sec. 11. (a) It is the sense of the Senate that the head of each department and agency of the United States should keep the select committee fully and currently informed with respect to intelligence activities, including any covert activities which are the responsibility of or engaged in by such department or agency. Provided, That this does not constitute a condition precedent to the implementation of any such action or intelligence activities.

(b) It is the sense of the Senate that the head of any department or agency of the United States involved in any intelligence activities should furnish any information or document in the possession, custody, or control of such department or agency, whenever requested by the select committee with respect to any matter within such committee's jurisdiction.

(c) It is the sense of the Senate that each department of the United States should report immediately upon discovery to the select committee any and all intelligence activities which constitute violations of the constitutional rights of any person, violations of law, or violations of Executive order or directive, or of any departmental or agency rules or regulations; each department and agency should further report to such committee what actions have been taken or are expected to be taken by the departments or agencies with respect to such violations.

Sec. 12. Subject to the Standing Rules of the Senate, no funds shall be appropriated for any fiscal year beginning after September 30, 1976, with the exception of a continuing bill or resolution, or amendment thereto, or conference report thereon, or, for use of any department or agency of the United States to carry out any of the following activities, unless such funds shall have been previously authorized by a bill or joint resolution passed by the Senate during the same or preceding fiscal year to carry out such activity for such fiscal year:

(1) The activities of the Central Intelligence Agency and the Director of Central Intelligence.

(2) The activities of the Defense Intelligence Agency.

(3) The activities of the National Security Agency.

(4) The intelligence activities of other agencies and subdivisions of the Department of Defense.

(5) The intelligence activities of the Department of Energy.

(6) The intelligence activities of the Federal Bureau of Investigation, including all activities of the FBI, cooperate with and assist other agencies, and the FBI shall report to the Senate.

Sec. 13. (a) The select committee shall make a study with respect to the following matters: to consider the extent to which the Intelligence Agency and other agencies of the United States, in their activities affecting the relations of the United States with any foreign government, political group, military force, movement of persons, or other agent, shall be considered by any department, agency, bureau, office, division, instrumentality, or employee of the United States as a threat to the national security of the United States, and to be reported to the Senate on an annual basis.

(b) The select committee may, in its discretion, omit from the special study required by this section any and all intelligence activities which it determines have been adequately studied by the Senate Committee to Study Governmental Operations With Respect to Intelligence Activities, established by Senate Resolution 21, Ninety-Fourth Congress.

(c) The select committee shall report the results of the study provided for by this section to the Senate, together with any recommendations or other actions it deems appropriate, no later than January 1, 1977, and from time to time thereafter as it deems appropriate.

Sec. 14. (a) As used in this resolution, the term "intelligence activities" includes:

(1) The collection, analysis, production, dissemination, or publication of information which relates to any foreign country, or any government, political group, party, military force, movement of persons, or other agent, which is to be included among the intelligence activities.

(b) The select committee may, in its discretion, omit from the special study required by this section any and all intelligence activities which it determines have been adequately studied by the Senate Committee to Study Governmental Operations With Respect to Intelligence Activities, established by Senate Resolution 21, Ninety-Fourth Congress.

(c) The select committee shall report the results of the study provided for by this section to the Senate, together with any recommendations or other actions it deems appropriate, no later than January 1, 1977, and from time to time thereafter as it deems appropriate.

Sec. 15. For the period from the date this resolution is agreed to through February 28, 1977, the expenses of the select committee under this resolution shall not exceed $275,000, of which amount not to exceed $50,000 shall be available for the procurement of the services of individual consultants, or organizations thereof, as authorized by section 202(1) of the Legislative Reorganization Act of 1949. Expenses of the select committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers submitted by the chairman of the select committee, or any other person appointed to the select committee, except that vouchers shall not be required for the disbursement of salaries of employees paid at an annual rate.

Sec. 16. Nothing in this resolution shall be construed as constituting acquiescence by the Senate in any practice, or in the conduct of any activity, not otherwise authorized by law.

"The title was amended as so as to read: "A Resolution to Establish a Select Committee on Intelligence.""

Mr. RIBICOFF. Mr. President, I move to reconsider the vote by which the resolution was adopted.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. Mr. President, will the Senator yield for a unanimous-consent agreement?

Mr. RIBICOFF. May I take just 2 minutes to finish?

Mr. SPARKMAN. Surely.

Mr. RIBICOFF. Mr. President, I thank the Senate as a whole for its overwhelming support. The Senate saw its duty and it did it. But there are others in this body who should be singled out for special appreciation.

Our majority leader (Mr. MANSFIELD), speaking just a moment ago, suggested to Congress that there should be an oversight committee on intelligence. As is usual with the majority leader, he was foresighted and farsighted. If we had accepted his