MEMORANDUM FOR DIRECTOR, PROGRAM A  
DIRECTOR, PROGRAM C  
DIRECTOR, NRO STAFF  

SUBJECT: Senate Select Committee Request  

The attached letter from the U.S. Senate is provided for your information. I will be the focal point within the NRO for all queries from the Senate Select Committee and will approve all responses.  

Any records or documents which might have a bearing on the subject of this study will be retained under NRO possession or control, including but not limited to all records or documents pertaining in any way to the matters set forth in Section 2 of the attached Senate Resolution 21. Where disposition is required by law or regulation, action will temporarily be withheld, and the materials will not be destroyed, removed from NRO possession or control, or otherwise disposed of.  

1 Atch  
Mansfield ltr, 27 Jan 75  
w/S. Res. 21  

[Signature]  

13 February 1975  

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Dear Secretary McLucas:

As you may be aware, the Senate is to conduct an investigation and study of government operations with respect to intelligence activities. The scope of the investigation is set out in S. Res. 21, a copy of which has been enclosed for your information.

We are writing to request that you not destroy, remove from your possession or control, or otherwise dispose or permit the disposal of any records or documents which might have a bearing on the subjects under investigation, including but not limited to all records or documents pertaining in any way to the matters set out in section 2 of S. Res. 21.

Sincerely yours,

Hugh Scott
Republican Leader

Mike Mansfield
Majority Leader

Enclosure
IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1975

Mr. Patroon submitted the following resolution; which was ordered to be placed on the calendar (under general orders)

RESOLUTION

To establish a select committee of the Senate to conduct an investigation and study with respect to intelligence activities carried out by or on behalf of the Federal Government.

1. Resolved, To establish a select committee of the Senate
2. to conduct an investigation and study of governmental operations with respect to intelligence activities and of the extent, if any, to which illegal, improper, or unethical activities were engaged in by any agency of the Federal Government or by any persons, acting individually or in combination with others, with respect to any intelligence activity carried out by or on behalf of the Federal Government; be it further
3. Resolved, That (a) there is hereby established a select
committee of the Senate which may be called, for con-
venience of expression, the Select Committee To Study
Governmental Operations With Respect to Intelligence Ac-
tivities to conduct an investigation and study of the extent, if
any, to which illegal, improper, or unethical activities were
engaged in by any agency or by any persons, acting either
individually or in combination with others, in carrying out
any intelligence or surveillance activities by or on behalf
of any agency of the Federal Government.

(b) The select committee created by this resolution
shall consist of eleven members of the Senate, six to be
appointed by the President of the Senate from the majority
members of the Senate upon the recommendation of the
majority leader of the Senate, and five minority members of
the Senate to be appointed by the President of the Senate
upon the recommendation of the minority leader of the
Senate. For the purposes of paragraph 6 of rule XXV of the
Standing Rules of the Senate, service of a Senator as a
member, chairman, or vice chairman of the select committee
shall not be taken into account.

(c) The majority members of the committee shall select
a chairman and the minority members shall select a vice
chairman and the committee shall adopt rules and procedures
to govern its proceedings. The vice chairman shall preside
over meetings of the select committee during the absence
of the chairman, and discharge such other responsibilities as may be assigned to him by the select committee or the chairman. Vacancies in the membership of the select committee shall not affect the authority of the remaining members to execute the functions of the select committee and shall be filled in the same manner as original appointments to it are made.

(d) A majority of the members of the select committee shall constitute a quorum for the transaction of business, but the select committee may affix a lesser number as a quorum for the purpose of taking testimony or depositions.

SEC. 2. The select committee is authorized and directed to do everything necessary or appropriate to make the investigations and study specified in subsection (a) of the first section. Without abridging in any way the authority conferred upon the select committee by the preceding sentence, the Senate further expressly authorizes and directs the select committee to make a complete investigation and study of the activities of any agency or of any and all persons or groups of persons or organizations of any kind which have any tendency to reveal the full facts with respect to the following matters or questions:

(1) Whether the Central Intelligence Agency has conducted an illegal domestic intelligence operation in the United States.
(2) The conduct of domestic intelligence or counterintelligence operations against United States citizens by the Federal Bureau of Investigation or any other Federal agency.

(3) The origin and disposition of the so-called Houston Plan to apply United States intelligence agency capabilities against individuals or organizations within the United States.

(4) The extent to which the Federal Bureau of Investigation, the Central Intelligence Agency, and other Federal law enforcement or intelligence agencies coordinate their respective activities, any agreements which govern that coordination, and the extent to which a lack of coordination has contributed to activities or actions which are illegal, improper, inefficient, unethical, or contrary to the intent of Congress.

(5) The extent to which the operation of domestic intelligence or counterintelligence activities and the operation of any other activities within the United States by the Central Intelligence Agency conforms to the legislative charter of that Agency and the intent of the Congress.

(6) The past and present interpretation by the Director of Central Intelligence of the responsibility to protect intelligence sources and methods as it relates to
the provision in section 102 (d) (3) of the National
Security Act of 1947 (50 U.S.C. 403 (d) (3)) that
"... that the agency shall have no police, subpoena, law
enforcement powers, or internal security functions. ..."

(7) Nature and extent of executive branch over-
sight of all United States intelligence activities.

(8) The need for specific legislative authority, to
govern the operations of any intelligence agencies of
the Federal Government, now existing without that
explicit statutory authority, including but not limited to
agencies such as the Defense Intelligence Agency and
the National Security Agency.

The nature and extent to which Federal agencies
cooporate and exchange intelligence information and
the adequacy of any regulations or statutes which
govern such cooperation and exchange of intelligence
information.

(9) The extent to which United States intelligence
agencies are governed by Executive orders, rules, or
regulations, either published or secret, and the extent
to which those Executive orders, rules, or regulations
interpret, expand, or are in conflict with specific legis-
lative authority.

(10) The violation or suspected violation of any
(i) By any person by, or on behalf of any intelligence agency of the Federal Government including but not limited to surreptitious entries, surveillance, wiretaps, or eavesdropping, illegal opening of the United States mail, or the monitoring of the United States mail.

(11) The need for improved, strengthened, or consolidated oversight of United States intelligence activities by the Congress.

(12) Whether any of the existing laws of the United States are inadequate, either in their provisions or manner of enforcement, to safeguard the rights of American citizens, to improve executive and legislative control of intelligence and related activities, and to resolve uncertainties as to the authority of United States intelligence and related agencies.

(13) Whether there is unnecessary duplication of expenditure and effort in the collection and processing of intelligence information by United States agencies.

(14) The extent and necessity of overt and covert intelligence activities in the United States and abroad.

(15) Such other related matters as the committee deems necessary in order to carry out its responsibilities under section (a) of this Act.

Sec. 3. (a) To enable the select committee to make
1. the investigation and study authorized and directed by this
2. resolution, the Senate hereby empowers the select committee
3. as an agency of the Senate (1) to employ and fix the com-
4. pensation of such clerical, investigatory, legal, technical,
5. and other assistants as it deems necessary or appropriate,
6. but it may not exceed the normal Senate salary schedules;
7. (2) to sit and act at any time or place during sessions,
8. recesses, and adjournment periods of the Senate; (3) to hold
9. hearings for taking testimony on oath or to receive docu-
10. mentary or physical evidence relating to the matters and
11. questions it is authorized to investigate or study; (4) to
12. require by subpoena or otherwise the attendance as witnesses
13. of any persons who the select committee believes have
14. knowledge or information concerning any of the matters
15. or questions it is authorized to investigate and study; (5)
16. to require by subpoena or order any department, agency,
17. officer, or employee of the executive branch of the United
18. States Government, or any private person, firm, or corpora-
19. tion, to produce for its consideration or for use as evidence
20. in its investigation and study any books, checks, canceled
21. checks, correspondence, communications, document, papers,
22. physical evidence, records, recordings, tapes, or materials re-
23. lating to any of the matters or questions it is authorized to
24. investigate and study which they or any of them may have
25. in their custody or under their control; (6) to make to the
Senate any recommendations it deems appropriate in respect
to the willful failure or refusal of any person to answer ques-
tions or give testimony in his character as a witness during
his appearance before it or in respect to the willful failure
or refusal of any officer or employee of the executive branch
of the United States Government or any person, firm, or
corporation to produce before the committee any books,
checks, canceled checks, correspondence, communications,
document, financial records, papers, physical evidence,
records, recordings, tapes, or materials in obedience to any
subpoena or order; (7) to take depositions and other testi-
mony on oath anywhere within the United States or in any
other country; (8) to procure the temporary or intermit-
tent services of individual consultants, or organizations there-
of, in the same manner and under the same conditions as
a standing committee of the Senate may procure such serv-
ices under section 202(i) of the Legislative Reorganiza-
tion Act of 1946; (9) to use on a reimbursable basis, with
the prior consent of the Committee on Rules and Adminis-
tration, the services of personnel of any such department
or agency; (10) to use on a reimbursable basis or other-
wise with the prior consent of the chairman of any sub-
committee of any committee of the Senate the facilities or
services of any members of the staffs of such other Senate
committees or any subcommittees of such other Senate com-
matters whenever the select committee or its chairman deems
that such action is necessary or appropriate to enable the
select committee to make the investigation and study author-
ized and directed by this resolution; (11) to have direct
access through the agency of any members of the select
committee or any of its investigatory or legal assistants
designated by it or its chairman or the ranking minority
member to any data, evidence, information, report, analysis,
or document or papers, relating to any of the matters or
questions which it is authorized and directed to investigate
and study in the custody or under the control of any depart-
ment, agency, officer, or employee of the executive branch
of the United States Government, including any department,
agency, officer, or employee of the United States Govern-
ment having the power under the laws of the United States
to investigate any alleged criminal activities or to prosecute
persons charged with crimes against the United States and
any department, agency, officer, or employee of the United
States Government having the authority to conduct intelli-
gence or surveillance within or outside the United States,
without regard to the jurisdiction or authority of any other
Senate committee, which will aid the select committee to
prepare for or conduct the investigation and study authorized
and directed by this resolution; and (12) to expend to the
extent it determines necessary or appropriate any money...
made available to it by the Senate to perform the duties
and exercise the powers conferred upon it by this resolution
and to make the investigation and study it is authorized by
this resolution to make.

(b) Subpoenas may be issued by the select committee
acting through the chairman or any other member designated
by him, and may be served by any person designated by
such chairman or other member anywhere within the borders
of the United States. The chairman of the select committee,
or any other member thereof, is hereby authorized to admin-
ister oaths to any witnesses appearing before the committee.

(c) In preparing for or conducting the investigation
and study authorized and directed by this resolution, the
select committee shall be empowered to exercise the powers
conferred upon committees of the Senate by section 6002 of
title 18, United States Code, or any other Act of Congress
regulating the granting of immunity to witnesses.

Sec. 4. The select committee shall have authority to
recommend the enactment of any new legislation or the
amendment of any existing statute which it considers neces-
sary or desirable to strengthen or clarify the national secu-
rity, intelligence, or surveillance activities of the United
States and to protect the rights of United States citizens
with regard to those activities.

Sec. 5. The select committee shall make a final report.
of the results of the investigation and study conducted by it pursuant to this resolution, together with its findings and its recommendations as to new congressional legislation it deems necessary or desirable, to the Senate at the earliest practicable date, but no later than September 1, 1975. The select committee may also submit to the Senate such interim reports as it considers appropriate. After submission of its final report, the select committee shall have three calendar months to close its affairs, and on the expiration of such three calendar months shall cease to exist.

SEC. 6. The expenses of the select committee through September 1, 1975, under this resolution shall not exceed $750,000 of which amount not to exceed $100,000 shall be available for the procurement of the services of individual consultants or organizations thereof. Such expenses shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the select committee.