

June 10, 1976

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SELECT COMMITTEE ON INTELLIGENCE,
Washington, D.C., June 9, 1976.
Hon. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MANSFIELD: The Select Committee on Intelligence met today to consider, as you requested, the question of destruction of certain records by the intelligence agencies of the U.S. Government and to make recommendations for action. The Committee is unanimously of the opinion that there should be a moratorium on the destruction of these records for approximately six months and that notice should be given of the moratorium on destruction so that those who may wish to take legal or other action may do so. It is further the recommendation of the Committee that the CIA and other intelligence agencies should submit an inventory of the records to be destroyed to the Select Committee, and that the Select Committee staff should review documents intended to be destroyed.

With kind regards,

Aloha,

DANIEL K. INOUE,
Chairman.

(This same letter to Senator Hugh Scott.)

OFFICE OF THE MAJORITY LEADER,
Washington, D.C., June 10, 1976.

Hon. GEORGE BUSH,
Director, Central Intelligence Agency, Wash-
ington, D.C.

DEAR MR. DIRECTOR: With reference to your letter of June 2, we took up the substance of your communication with the Honorable Daniel K. Inouye, Chairman of the Select Committee on Intelligence, United States Senate, and received from him a reply under date of June 9, 1976, which we enclose along with copies of our letter to Chairman Inouye under date of June 7 and his reply to us under date of June 8.

We concur wholeheartedly in the decision of the Committee that "there should be a moratorium on the destruction of these records for approximately six months and that notice should be given of the moratorium on destruction so that those who may wish to take legal or other action may do so."

As ex officio members of the Select Committee on Intelligence, we approve fully of the Committee's recommendation "that the CIA and other intelligence agencies should submit an inventory of the records to be destroyed to the Select Committee, and that the Select Committee staff should review documents intended to be destroyed."

With best personal wishes and our highest regards, we are

Sincerely,

HUGH SCOTT,
Republican Leader.
MIKE MANSFIELD,
Majority Leader.

Mr. MANSFIELD. I yield back the remainder of my time.

THE ANTI-TRUST IMPROVEMENTS ACT OF 1976

The ACTING PRESIDENT pro tempore. The Senate will now resume consideration of H.R. 8532, which the clerk will state.

The legislative clerk read as follows:

A bill (H.R. 8532) to amend the Clayton Act to permit State attorneys general to bring certain antitrust actions, and for other purposes.

The Senate resumed consideration of the bill.

Mr. MORGAN. Mr. President, I ask unanimous consent that Mr. Herb Jolovitz of Senator LEAHY's staff be allowed

the privileges of the floor during the consideration and vote on this bill and all amendments thereto.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 1752

Mr. ALLEN. Mr. President, I call up my amendment 1752.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Alabama (Mr. ALLEN) proposes amendment No. 1752:

Strike all of title IV starting with page 27, line 7, through page 32, line 18.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Alabama.

Mr. MORGAN. Mr. President, as I recall, this amendment has been considered before. Mr. President, parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state his inquiry.

Mr. MORGAN. Was not this same amendment considered yesterday and tabled?

The ACTING PRESIDENT pro tempore. Not according to the record of the legislative clerk, I am advised.

Mr. MORGAN. Mr. President, parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. MORGAN. Was not the amendment or one substantially like it considered and defeated yesterday? My records indicate that it was.

Mr. ALLEN. Mr. President, this amendment has never come before the Senate.

The ACTING PRESIDENT pro tempore. This amendment in this form is identical to an amendment that was tabled on yesterday, so the amendment is not in order.

Mr. MORGAN. Is not in order?

The ACTING PRESIDENT pro tempore. That is correct.

The bill is now open for further amendment.

QUORUM CALL

Mr. ALLEN. I suggest the absence of a quorum, the first time I have done that in 2 weeks.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk called the roll and the following Senators answered to their names:

[Quorum No. 19 Leg.]

Allen	Javits	Randolph
Byrd, Robert C.	Leahy	Ribicoff
Dole	Mansfield	Scott, Hugh
Fannin	Montoya	Taft
Haskell	Morgan	Thurmond
Helms	Moss	
Hruska	Percy	

The ACTING PRESIDENT pro tempore. A quorum is not present.

Mr. ROBERT C. BYRD. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

Pending the execution of the order, the

following Senators entered the Chamber and answered to their names:

Ford	McGovern	Talmadge
Garn	Sparkman	Young
Humphrey	Stennis	

Mr. ROBERT C. BYRD. I announce that the Senator from Arkansas (Mr. BUMPERS), the Senator from Idaho (Mr. CHURCH), the Senator from Michigan (Mr. PHILIP A. HART), the Senator from Hawaii (Mr. INOUE), the Senator from Louisiana (Mr. LONG), the Senator from Rhode Island (Mr. PASTORE), the Senator from Missouri (Mr. SYMINGTON), and the Senator from California (Mr. TUNNEY) are necessarily absent.

I also announce that the Senator from Indiana (Mr. BAYH) is absent because of illness.

Mr. HUGH SCOTT. I announce that the Senator from New York (Mr. BUCKLEY), the Senator from New Jersey (Mr. CASE), the Senator from Arizona (Mr. GOLDWATER), the Senator from Michigan (Mr. GRIFFIN), the Senator from Nevada (Mr. LAXALT), the Senator from Maryland (Mr. MATHIAS), the Senator from Virginia (Mr. WILLIAM L. SCOTT), the Senator from Vermont (Mr. STAFFORD), the Senator from Alaska (Mr. STEVENS), and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

Mr. ROBERT C. BYRD. Mr. President, I move that the Sergeant at Arms be directed to compel the attendance of absent Senators.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from West Virginia. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Arkansas (Mr. BUMPERS), the Senator from Florida (Mr. CHILES), the Senator from Idaho (Mr. CHURCH), the Senator from New Hampshire (Mr. DURKIN), the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Alaska (Mr. GRAVEL), the Senator from Michigan (Mr. HART), the Senator from Indiana (Mr. HARTKE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Hawaii (Mr. INOUE), the Senator from Louisiana (Mr. LONG), the Senator from Washington (Mr. MAGNUSON), the Senator from Missouri (Mr. SYMINGTON), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Minnesota (Mr. MONDALE), the Senator from New Mexico (Mr. MONTROYA), the Senator from Georgia (Mr. NUNN), the Senator from Rhode Island (Mr. PASTORE), the Senator from Illinois (Mr. STEVENSON), and the Senator from California (Mr. TUNNEY) are necessarily absent.

I also announce that the Senator from Indiana (Mr. BAYH) is absent because of illness.

Mr. HUGH SCOTT. I announce that the Senator from New York (Mr. Buck-

June 10, 1976

CONGRESSIONAL RECORD — SENATE

S 8841

a successful businessman, politics was ingrained into the very being of this man who possessed character and conviction. When he died, I feel an era in American political history died too.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. MANSFIELD. I wish to join the distinguished Senator from West Virginia in what he had to say about James Farley. I did not know Mr. Farley at the beginning of the New Deal, as the distinguished Senator from West Virginia did, who happened to serve in the House at that time, but I joint with him in expressing a sense of personal loss of a very great man, an excellent politician, and a man of dedication.

Mr. THURMOND. Mr. President, I associate myself with the remarks made by the able Senator from West Virginia concerning the late James A. Farley.

I had the pleasure of being a delegate to the 1932 Democratic Convention at which Mr. Roosevelt was nominated. Mr. Farley was active, he had many friends, he organized a campaign, and he was an unusual political strategist.

As he went around the country for some time before that convention, he had a notebook in which he wrote down the names of people he felt would help in that campaign. He later told me it was one of the most valuable things he had ever done in politics.

He truly was a great politician, a great man, a great American, and our country has lost an outstanding citizen.

Mr. RANDOLPH. I thank my friend from South Carolina.

CORRECTION OF THE RECORD—
VOTE NO. 251

Mr. WILLIAM L. SCOTT. Mr. President, I note from yesterday's RECORD on rollcall vote 251 I am recorded as not voting. I was present and voted and voted "nay." I ask that the RECORD be corrected.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

REVEREND ROBERT A. WELLS

Mr. CANNON. Mr. President, I am pleased to call the attention of this body to the invocation delivered this morning by the Reverend Robert A. Wells of Reno, director of Missions for Southern Baptists in northern Nevada.

Reverend Wells has earned his reputation as our outstanding servant of his community. In addition to his present duties, he serves as minister-at-large for the churches in all of northern Nevada, which comprises half my State.

Reverend Wells is also a member of the Kiwanis with perfect attendance for over 25 years, joining soon after his college and seminary days were completed. He is currently serving as member of the Kiwanis Club of Reno—Mount Rose board of directors. For the past 7 years Reverend Wells has been assisting in the Junior Olympics for the northern Nevada area by presenting the opening prayer for these young people prior to their competition.

I am pleased to have my distinguished constituent serve as Senate Chaplain today.

I ask unanimous consent that a letter from the Kiwanis Club of Reno—Mount Rose to me be included at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

KIWANIS CLUB OF
RENO—MOUNT ROSE,
Reno, Nevada, May 28, 1976.

Senator HOWARD W. CANNON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CANNON: Our Board of Directors voted at their May meeting to write a letter for you to include in the Congressional Record on June 10th, 1976. This letter is about our own Rev. Robert A. Wells who is to open the Senate with prayer on that day.

Rev. Wells is a Kiwanian with over 25 years of perfect attendance. He is currently serving as a member of our Board of Directors. Our club sponsored the Registration 76—voter's registration campaign in April of this year and annually sponsors the Junior Olympics for the Northern Nevada area. This year more than 700 youths participated with a record number of track records being broken. One past participant in these Junior Olympic events is a strong contender for the International Olympics this summer. For the past seven years Rev. Wells has been assisting these events by presenting the opening prayer for these young people to give their best.

The Reno Mt. Rose Kiwanis Club would like to commend Senator Howard W. Cannon for nominating Rev. Robert A. Wells, Director of Missions for Southern Baptists in Northern Nevada and the Lake Tahoe Area of California. He has helped to make ours a club that truly serves in our community. We consider it an honor to our club to have him in the United States Senate on this day, June 10th, 1976.

Sincerely,

JOHN E. MADSEN,
President.

AUTHORIZATION FOR COMMITTEE
ON FINANCE TO FILE REPORT BY
END OF SESSION TODAY

Mr. LONG. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to file a committee report before the close of the session today.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

DESTRUCTION OF CERTAIN RECORDS
BY THE CENTRAL INTELLIGENCE AGENCY

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD a series of letters relative to the destruction of certain records by the Central Intelligence Agency.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CENTRAL INTELLIGENCE AGENCY,
Washington, D.C., June 2, 1976.

HON. MIKE MANSFIELD,
U.S. Senate, Office of the Majority Leader,
Washington, D.C.

DEAR SENATOR MANSFIELD: On 27 January 1975, following adoption of S. Res. 21 creating the Select Committee on Intelligence, you and Senator Hugh Scott requested that the

Central Intelligence Agency "not destroy, remove from [its] 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."

In response to this request, the Agency placed in effect a complete moratorium on the destruction of records, including normal administrative records scheduled for routine destruction.

The purpose of this letter is to advise you that it is our intention to proceed with destruction of records, now that the Select Committee has completed its investigation and issued its final report. We have so advised Senator Church.

Along with the backlog of routine administrative records, the Agency will destroy records which were collected and maintained by the Agency and which were subject to investigation by the Rockefeller Commission and the Select Committee. The Agency is required to destroy much of this latter material by the Privacy Act of 1974 (P.L. 93-579) and by Executive Order 11905. Of course, all records destruction will be fully consistent with other applicable laws, Presidential directives, and the requirements of pending litigation and Justice Department investigations.

I trust you agree that this action is now necessary and appropriate, and I would appreciate your confirmation of this understanding.

I am sending a duplicate of this letter to Senator Hugh Scott.

Sincerely,

GEORGE BUSH,
Director.

OFFICE OF THE MAJORITY LEADER,
Washington, D.C., June 7, 1976.

HON. DANIEL K. INOUE,
Chairman, Select Committee on Intelligence,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: We have received a letter from the Honorable George Bush, Director of the Central Intelligence Agency, relative to the destruction of papers and material which he has held for sometime relative to our request. Our action was taken to facilitate the inquiry being undertaken by your predecessor committee under the chairmanship of Senator Frank Church.

In view of the fact, as we assume, that all of Senator Church's committee records have been turned over to your permanent Select Committee, we would appreciate your advising us as to whether or not you want our original letter to stand and the papers and other materials to still be held. Could you give us the judgment of you and your Committee on this matter?

With best wishes, we are

MIKE MANSFIELD,
Majority Leader.
HUGH SCOTT,
Republican Leader.

SELECT COMMITTEE ON INTELLIGENCE,
Washington, D.C., June 8, 1976.

HON. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MANSFIELD: I have received your letter of June 7, 1976, concerning the destruction of records held by the intelligence agencies pursuant to your letter of January 1975.

The Select Committee on Intelligence will discuss this matter at its next meeting on Wednesday, June 9, which you are invited to attend. I will report the views of the Committee following the conclusion of that meeting.

With kind regards,

Aloha,

DANIEL K. INOUE,
Chairman.