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## FULL COMMITTEE CONSIDERATION

OF

## H. Res. 777

REQUESTING THE PRESIDENT TO FURNISH CERTAIN INFORMATION TO THE HOUSE OF REPRESENTATIVES CONCERNING THE DISCLOSURE OF CLASSIFIED INFORMATION RELATING TO THE NEW SO-CALLED STEALTH TECHNOLOGY FOR MILITARY AIRCRAFT

AND

RESOLUTION IN HONOR OF CHARLES SPARKS  
THOMAS, SECRETARY OF THE NAVY, MAY 1954  
TO APRIL 1957

COMMITTEE ON ARMED SERVICES  
HOUSE OF REPRESENTATIVES  
NINETY-SIXTH CONGRESS

SECOND SESSION

SEPTEMBER 9, 1980



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NINETY-SIXTH CONGRESS, SECOND SESSION

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CONSIDERATION OF HOUSE RESOLUTION 777

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
*Washington, D.C., Tuesday, September 9, 1980.*

The committee reconvened in open session, pursuant to meeting in executive session, at 11:10 a.m., in room 2118, Rayburn House Office Building, Hon. Melvin Price (chairman of the committee) presiding.

The CHAIRMAN. Our next order of business will be consideration of a resolution of inquiry, House Resolution 777.

Mr. COURTER. Mr. Chairman.

The CHAIRMAN. Mr. Courter.

Mr. COURTER. Mr. Chairman, I have an inquiry, if I may, of the Chair.

Are we going to stay in executive session for consideration of my resolution and, if so, why?

The CHAIRMAN. There was no intention to.

Mr. COURTER. Excuse me?

The CHAIRMAN. There was no intention to.

Mr. COURTER. So we're in open session now?

The CHAIRMAN. Yes, we're back in open session. This is an open session and anybody is invited to attend who wants to attend.

Mr. STRATTON. Mr. Chairman, while we wait to maintain order I think the staff ought to provide everybody a copy of this resolution of inquiry. I don't think it's before them.

The CHAIRMAN. It should be before every place.

Mr. STRATTON. They must have left one out for my place.

Mr. ICHORD. Mr. Chairman.

The CHAIRMAN. Mr. Ichord.

Mr. ICHORD. Could I be recognized, Mr. Chairman, while the public is coming into the room?

The CHAIRMAN. Mr. Ichord.

Mr. ICHORD. At the hearings conducted by Mr. Stratton I raised several points of order, and I might state, while the news media is coming in, to the gentleman from New Jersey I do not intend to make a motion that this be held in executive session. I would like to reserve the right to make that motion, and the reason why, I wanted to advise the members of the committee, is I stated publicly that I disagreed with the procedures that were taken after the leak in regard to the Stealth airplane. I think that the better policy should have been to neither deny nor confirm.

However, there were questions asked by the members at a previous hearing, which goes into details, and certainly we have the responsibility to keep those details under wraps.

Personally I do not know yet in Mr. Stratton's investigation how much has been learned by our prospective enemies, but I do reserve that right to make a motion to close, Mr. Chairman, at any



time, and raise a point of order. Also, I will ask the members in the discussion of this still very highly classified technology, to watch their discussion.

Mr. STRATTON. Mr. Chairman.

The CHAIRMAN. Mr. Stratton.

Mr. STRATTON. I think I can understand the concern of my friend from Missouri about wanting to go into executive session, but I think we have to recognize two factors.

First of all, there has been and is a continuing inquiry in the Subcommittee on Investigations into this whole matter. That inquiry has been conducted in the open, and it is a subject that has been covered in the press, and I think that we have managed to discuss that subject without getting into classified information at all.

Second, this resolution of inquiry is a resolution that has to be discussed on the floor of the House, and obviously if we are going to have to discuss it on the floor of the House we're going to have to discuss it in unclassified terms, and that's the way we ought to discuss it in this committee. Frankly, I don't think there's any particular problem with this, as I will try to explain when we get into the substance of the resolution.

The CHAIRMAN. Mr. Dickinson.

Mr. DICKINSON. Thank you, Mr. Chairman.

Perhaps my inquiry or observation is premature, and, if so, I will withdraw it and state it later if in the opinion of the Chair that would be the proper time. But I think that in order for us to come to some conclusion in our own minds as to the supporting or not of House Resolution 777, it would be helpful for us to know from the chairman of the subcommittee as to whether or not he is planning to proceed with what has been done in the investigation so far into the leakage of Stealth information or whether the subcommittee has concluded its work and no more is anticipated, or we have some assurance from the chairman of the subcommittee that he has not concluded and that the matter is still open and will be pursued further.

Has the chairman come to such a conclusion? I realize that you have requested, or there has been requested, in effect, a subpoena of all records, documents, memorandums, et cetera, and this has not been forthcoming. Will you have to wait until that is provided in order to make a determination of whether or not additional inquiry will be made by your subcommittee? What is the status, I'm asking.

Mr. STRATTON. The status is that the investigation is still continuing. As the gentleman knows, we have had very limited time in this Congress to pursue anything of this kind. We have only 3 weeks left. But this inquiry is an inquiry into the procedures that exist in the Defense Department for the protection of classified information and for the guidelines that guide this protection. We have had none of that information presented to us. The Secretary of Defense told us the other day that in releasing Stealth he was setting up a new set of guidelines, a second echelon of defense presumably, and we don't have those guidelines. So I will say to the gentleman the inquiry is continuing.



If it's proper to discuss the subject of the gentleman's resolution at this time, Mr. Chairman, I might just say in a nutshell—

The CHAIRMAN. We have not reached that point yet. The Chair is about to put that question, and then we can get into discussion involving the matter.

Mr. STRATTON. OK, fine.

Mr. DICKINSON. I thank the Chair. I withdraw my inquiry and will bring it up later.

The CHAIRMAN. The resolution would request the President to furnish certain information to the House of Representatives concerning the disclosure of classified information relating to the so-called Stealth technology for military aircraft.

House Resolution 777 was introduced by our colleague, Mr. Courter, with a number of cosponsors, including Mrs. Holt and Mr. Hopkins.

The resolution in its present form is privileged and must be considered by the committee within 7 legislative days after referral. Otherwise, the resolution is subject to a motion to discharge.

You will recall that in the past the committee has considered a variety of resolutions calling for the submission of information by the executive branch, and we have, in all instances that I recall, been able to satisfy the purposes of the resolutions within the committee. Since Mr. Stratton's Subcommittee on Investigations is in the process of inquiring into the allegations regarding leaks of the so-called Stealth technology, I would hope that we could again resolve this matter within our committee investigative process.

In any event, I will call upon Mr. Courter for a statement concerning his resolution, followed by Mrs. Holt and Mr. Hopkins, as well as other cosponsors who may have requested time. Thereafter, I will ask Mr. Stratton and Mr. Beard of the Investigations Subcommittee for their contributions. Subsequently, other members of the committee will be recognized.

Under the rules of the House the committee is required to report the resolution back to the House, either favorably or adversely, within 7 legislative days.

When the reported privileged resolution is called up on the floor, I, as chairman, would be recognized for 1 hour under the rules.

If a privileged resolution is reported favorably with or without amendment, the previous question will be in order after debate is concluded.

If a resolution is reported adversely at some point after the resolution is called up the member controlling the time may move that it be tabled.

[H. Res. 777 is as follows:]



96TH CONGRESS  
2D SESSION

## H. RES. 777

Requesting the President to furnish certain information to the House of Representatives concerning the disclosure of classified information relating to the new so-called Stealth technology for military aircraft.

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### IN THE HOUSE OF REPRESENTATIVES

AUGUST 28, 1980

Mr. COURTEE (for himself, Mr. BURGNER, Mr. HOPKINS, Mr. BEREUTER, Mr. JEFFRIES, Mr. COLLINS of Texas, Mr. DANNEMEYER, Mr. ROUSSELOT, Mr. DERWINSKI, and Mrs. HOLT) submitted the following resolution; which was referred to the Committee on Armed Services

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## RESOLUTION

Requesting the President to furnish certain information to the House of Representatives concerning the disclosure of classified information relating to the new so-called Stealth technology for military aircraft.

1       *Resolved*, That the President is requested to furnish to  
2 the House of Representatives, not later than ten days after  
3 the adoption of this resolution, all information, whether or  
4 not classified, concerning—

5               (1) any authorization by the President or any offi-  
6 cial of the executive branch of the Government to any



1 other official of the executive branch of the Govern-  
2 ment to disclose any information relating to develop-  
3 ment of the new so-called Stealth technology for  
4 military aircraft to any individual, including any officer  
5 or employee of the Executive Office of the President,  
6 the Department of Defense, or the Central Intelligence  
7 Agency or a Member or employee of Congress, and if  
8 any such authorization was made, to whom such au-  
9 thorization was given and when it was given;

10 (2) any documents, memorandums, or other  
11 papers of the President or any official of the executive  
12 branch of the Government (including copies thereof) re-  
13 lating to any decision to disclose information described  
14 in paragraph (1);

15 (3) any ongoing investigation concerning the dis-  
16 closure of information described in paragraph (1) and  
17 what steps are being taken to prevent future disclo-  
18 sures of classified information relating to the develop-  
19 ment of new weapon systems or defense technologies;  
20 and

21 (4) current guidelines and procedures for the pre-  
22 vention from unauthorized disclosure of information  
23 concerning the development of new weapon systems  
24 and defense technologies, including the guidelines for  
25 assigning specific levels of classification to such infor-



1        mation and the officials who have final responsibility  
2        for assigning such classification.

3        SEC. 2. Information furnished pursuant to the first sec-  
4        tion of this resolution which is classified may be furnished in  
5        accordance with such safeguards as the President may con-  
6        sider appropriate, except that all information furnished pursu-  
7        ant to the first section of this resolution shall be available to  
8        Members of the House of Representatives in accordance with  
9        the Rules of the House.

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The CHAIRMAN. I now recognize Mr. Courter.

**STATEMENT OF HON. JIM COURTER, A REPRESENTATIVE  
FROM NEW JERSEY**

Mr. COURTER. Mr. Chairman, I appreciate the opportunity to briefly address our committee concerning House Resolution 777, requesting the President to furnish all information to the House of Representatives regarding the disclosure of information relating to the new and highly sensitive Stealth technology for military aircraft.

I believe that passage of this resolution is necessary in order for this committee and the Congress to ascertain the true and complete facts involved in this issue of grave importance to our national security.

The gravity of the leak concerning this technology was underscored by Gen. Richard Ellis, Commander of the Strategic Air Command. In his testimony on September 4 he stated that the Washington Post article of August 14 "raised the hair on the back of his head."

It was that same article in the Post that caused Under Secretary of Defense William Perry to state on September 14 that "The major security break occurred on August 14 in the Washington Post and it irretrievably compromised the existence of the program."

That article did not mention any technical information, but just referred to aides close to the President, who spoke to the article's author, George Wilson, who stated that the President was on the verge of announcing his package for a new high technology bomber and that more information about the aircraft would be made available as the campaign progressed.

However, rather than not commenting on this article, Secretary Brown and Dr. Perry amplified this breach in security by holding a press conference on August 22, publicly confirming the existence of the program.

Obviously, one does not discredit or plug leaks by divulging more information, Mr. Chairman. The standard operating procedure of neither confirming nor denying the existence of this program was not adhered to, and I believe, Mr. Chairman, that this committee has an obligation to ask why.

In an effort to get some of the answers regarding the disclosure and public confirmation of the Stealth technology the Investigations Subcommittee, under the very able leadership of the gentleman from New York, Mr. Stratton, called top officials from the Defense Department to testify and answer some of the questions that troubled all of us on this matter.

However, there have been several constraints on their testimony. The full committee has not had the opportunity to ask questions. Secretary Brown's time to testify was limited and interrupted by a few votes on the floor of the House of Representatives, and the Secretary—and this is most important—the Secretary refused to answer certain direct questions concerning the President's knowledge of the decision to release information regarding Stealth technology.



If I may quote from the record at this point from the September 4 hearing?

Representative Stratton asked the question:

Let me ask one final question. Did anybody order you to declassify this information?

Response by Secretary Brown:

My marching orders, Mr. Stratton, were to keep everything secret as long as possible, including the existence of the program. I followed those instructions.

In a followup question by Representative Beard, Representative Beard asked the Secretary as follows:

Mr. Secretary, you stated that you received your marching orders as to keep this program secret as long as possible. Would you care to state, were those marching orders from the White House? Was there communication in the declassification process with the White House?

And a very uncooperative Secretary Brown answered as follows:

I am not going to describe any conversations I had with the President on this matter, Mr. Beard. I have told you what my instructions were, and I won't go beyond that.

Representative Beard then asked the following questions:

Who do you report to, Mr. Secretary?

Answer: I work for the President.

Mr. BEARD. Thank you. So I can assume that the President and you discussed this particular issue.

Answer by the Secretary: Mr. Beard, you can assume anything you wish. I have said all I am going to say.

That may be all the Secretary of Defense was going to say, or is going to say, but I don't think that, very frankly, Mr. Chairman, puts an end to the matter. It also gives credence, rightly or wrongly, that the answer to this question is in the affirmative, that the President or any other White House official authorized the disclosure of this technology.

Secretary Brown agreed to provide Mr. Stratton with all Department of Defense documentation concerning the issue, but because the answer and decision most likely resides with the Commander in Chief, I believe a similar request must be made to the Office of the President.

This resolution requires that the President furnish all applicable information to the House concerning the disclosure of classified information relating to the Stealth technology. This includes classified and unclassified material, such documents, memorandums, and other papers of the President or any official of the executive branch relating to any decision to disclose this information.

In addition, it requires information concerning any ongoing investigation and the procedures for declassification of secret information.

I feel that this committee has an overwhelming responsibility in taking the lead to protect our most important military secrets.

Over the years this committee has provided the funds that led to the development of this technology and many other types of technologies.

The question before us is not, and must not be, one of Presidential politics. It is not a question of whether we should have a new manned penetrating bomber. It is not even a question of whether we should use this new technology for any future weapons systems,



and I'm certainly not looking for any further public disclosure of the details of this program that will give our adversaries more information than they already have.

What is before us is the question of whether we in this committee and in the Congress will do all we can to protect our military secrets, especially when there is legitimate concern that the executive branch has been lax or imprudent in its handling of such affairs. Furthermore, we must act to strengthen existing laws in the area.

Mr. Chairman, my resolution of inquiry really should be viewed as a companion request to the request of Mr. Stratton. Mr. Stratton's request had to do with documents, memorandums, statements, and papers coming from the Department of Defense, and my resolution of inquiry has to do with those same things that may exist in the executive branch and in the White House and with the President.

Mr. Shimmer's article, which appeared, I believe, on August 20 in the *Armed Forces Journal*, indicated that "senior Pentagon officials" or "defense officials" gave him the information. Because of the inquiry of the committee we now know who that senior Pentagon official was.

Conversely, however, Mr. George Wilson's article on August 14 that appeared in the *Washington Post* said that "government sources" said, "Presidential aides," "knowledgeable officials."

Mr. Chairman, if we, as a committee, have a right to know who the senior Pentagon officials were in the Shimmer article we certainly have a right to know who the Presidential aides were in the Wilson article in the *Washington Post*.

The resolution of inquiry I think is extremely important. We're talking in terms of a program that has been characterized as one that had the secrecy of the Manhattan project, that had the importance of the existence of radar itself. I think the resolution will provide answers to questions as: Did the President have knowledge of the decision? Did he make the decision? Why he made the decision? Did staff leak the decision before declassification occurred? If so, why, by whom, when, whose decision was it, when was it made, under what circumstances, and for what reasons?

I note with interest, Mr. Chairman, that the Senate, yesterday refused to hold hearings on this particular matter, and, therefore, I think a positive and affirmative vote on my resolution of inquiry is doubly important for that reason.

Finally, Mr. Chairman, you started out this particular hearing with the statement that there is an ongoing investigation in the subcommittee chaired by Mr. Stratton, which is definitely true. But that subcommittee request by Mr. Stratton with regard to papers and information solely went to the Department of Defense. It did not address the knowledge of the White House. As a matter of fact, according to the statements that I quoted a few moments ago that were solicited by Mr. Beard from the Secretary of Defense, the Secretary of Defense said he had no comment, in essence, as to whether he talked to the President or anyone in the White House with regard to the leak or with regard to the decision for declassification.



I note also with interest that the Secretary of Defense once stated, or stated in testimony before this committee, that a statement of "no comment" actually leads one to or is tantamount to confirmation. So one, then, could logically conclude that a statement by the Secretary of Defense as to Mr. Beard's inquiry with regard to the White House knowledge of no comment is also tantamount to confirmation about the fact that the White House knew.

I think that we can proceed with the debate on the merits of my resolution of inquiry, and without divulging any type of technical information. The question before us is not technology. The question is not anything with regard to the technology, Mr. Chairman. The question is, as I suggested before, Where and when did this occur, under what circumstances, and who initiated the decision to declassify, and also whether a decision was made by someone in the White House to leak a story to the Washington Post before the decision to declassify was made.

So I am hoping that this committee will vote in favor of my resolution of inquiry.

I thank the chairman for the opportunity to explain it.

Mr. HOPKINS. Mr. Chairman.

The CHAIRMAN. Mr. Hopkins.

#### STATEMENT OF HON. LARRY J. HOPKINS, A REPRESENTATIVE FROM KENTUCKY

Mr. HOPKINS. Thank you, Mr. Chairman.

First, I would like to commend the distinguished chairman of the Subcommittee on Investigations for allowing an inquiry into this matter. I am confident that he has the total support of this committee in uncovering the facts on this breach of our national security.

Second, I believe that it is imperative that the President provide this committee with all related documents on the declassification and disclosure of the once "top secret" program known as Stealth.

One of the most serious charges—and I would remind you that this was given under oath—evolving from this whole issue was from the reporter who met secretly with high ranking officials of the Department of Defense, and that reporter stated that in his opinion the release of this information was for political purposes.

Secretary of Defense Harold Brown testified on September 4 that he chose not to discredit the story on Stealth and "rejected any effort to deceive the press and the public as both wrong and not feasible." You will notice that he made no mention of this committee or the Congress.

Dr. William Perry, Under Secretary of Defense for Research and Engineering, was allowed to give Benjamin Shimmer, the editor of the Armed Forces Journal, a 1-day leadtime on the story on August 18, while this committee was not briefed until August 20, and when this committee was briefed there was no mention of the special treatment that some journalist had received. It was not even mentioned that they had met.

In other words, Mr. Chairman, high-ranking officials from the Department of Defense chose to talk with the news media first, and, second, they, either intentionally or unintentionally, failed to inform this committee or any members of the staff that they had



even met with the news media. In my opinion, that is extremely suspect.

The single incident, the failure to inform this committee, has led to further crippling the already sagging credibility of this administration and the Department of Defense. No wonder the citizens of this country are so apathetic, and no wonder that they're asking for, and deserve, so much more.

What else has been given leadtime that we on this committee have not been privy to? Why was this decision made against the recommendations of Air Force generals? Who else was consulted, what were their suggestions, and why was the meeting identified before the Congress? What actions were taken as a result of earlier leaks?

It's quite obvious that the Pentagon's intelligence organization is fouled up. There is a lack of procedure, a lack of communication, and a warped sense of what is top secret and what is not.

Secretary Brown entertained the press himself on August 22. However, he was able to squeeze this committee in before lunch on September 4.

I am not personally interested in personalities, but I am interested in getting the facts, and I believe House Resolution 777 will help get the facts. I believe this resolution will help clear up the misinformation on the Stealth disclosure. I think that it will, and I strongly urge the passage of this resolution by this committee.

Thank you.

WRITTEN STATEMENT OF HON. EDWARD J. DERWINSKI, A REPRESENTATIVE FROM ILLINOIS

Mr. Chairman, I urge Committee approval of H. Res. 777, which I have cosponsored, requesting the President to provide the House with certain information concerning the disclosure of classified information relating to the "Stealth" technology.

Because there are still unanswered questions following the appearance before your Committee of Secretary of Defense Brown and Undersecretary Perry, I believe it is in the national interest for your investigation to go forward.

Passage of this resolution will enable the Committee to obtain the information necessary for a complete investigation of this matter.

WRITTEN STATEMENT OF HON. JIM JEFFRIES, A REPRESENTATIVE FROM KANSAS

Mr. Chairman, distinguished colleagues, I want to begin by thanking you for the opportunity to testify before you today.

I believe it is imperative that the President furnish members of Congress with all pertinent information, whether or not classified, concerning the disclosure of the so-called "stealth technology" for military aircraft; specifically, when, how, and by whose authorization the disclosures were made; and an outline of the steps that are being taken to prevent future disclosures of classified information relating to the development of new weapon systems and defense technologies.

There is little doubt that the development of the stealth technology is a major breakthrough in strategic weaponry. However, the disclosure by the Administration of the stealth program was, under the circumstances, unnecessary and highly premature. While the technology would enable bombers, cruise missiles, and other warplanes to penetrate Soviet air defenses undetected, none of the "several" new planes in pilot production are yet operational. In fact, by Secretary of Defense Harold Brown's own admission, the final form and design of the "stealth planes" is undecided and will not be decided before next March at the earliest. Furthermore, significant production of weapon systems which implement the stealth technology will not begin in this decade.

Both the timing and the content of the stealth technology disclosures suggest that they were politically motivated rather than, as Defense Secretary Brown claims, necessary to stop the growing number of leaks about the program in the news



media. To accept Secretary Brown's explanation, without requiring substantially more information, would be an inexcusable act of credulity.

A brief review of the reported events leading up to and immediately after the confirmation of the stealth technology by Secretary Brown on August 22, 1980, strongly suggest the need for further investigation. Insiders in the Defense Department have stated on record that Secretary Brown revealed far more about the status of the stealth technology than had the unconfirmed press reports. Why did he do this? It clearly seems inconsistent with the espoused purpose of the disclosure, viz., to prevent future leaks about the stealth program.

Mr. Benjamin Schemmer, editor of Armed Forces Journal, testified before the House Armed Services investigating subcommittee that although he knew of the essential elements of the stealth project in mid-1978, he was asked by a senior Pentagon official at that time not to print, for National Security reasons, a story the AFJ had written about the first stealth test prototypes and the operational breakthrough it could represent. However, he testified that he was invited to the Pentagon for a special briefing on the stealth technology immediately after the news leaks of August 11 and 14. At that time he was urged to write and publish a story about the stealth technology in the AFJ. According to his testimony, he was told that Secretary Brown would confirm the existence of the stealth program only after Mr. Schemmer published the story. The scenario smacks of political grandstanding. Certainly Secretary Brown's statement that the stealth technology was a "major technological advance" which "alters the military balance" was made to counter the opposition's charges that the Carter Administration has been weak on defense policy; specifically, that Carter's cancellation of the B-1 bomber damaged our nuclear strike capability.

While Secretary Brown vehemently denies that the disclosure of the stealth technology was authorized by the President or any other official in the executive branch, a thorough investigation is called for here, not only to uncover the political forces responsible for the disclosure of the stealth technology, if any, but, most importantly, to enable Congress to assess the state of our National Security System, particularly, the handling of sensitive defense, intelligence, or other classified information. Only with this information will we be able to revise the system and develop new guidelines that will prevent future leaks of this nature. We must design a system which will not allow the President or any other public official or political organization to disclose sensitive classified information for purely political purposes. We must do all that we can to insure that the integrity of our Nation and our Military Forces is upheld.

Thank you for hearing me on this matter.

The CHAIRMAN. Mr. Bennett.

Mr. BENNETT. I have no questions.

The CHAIRMAN. Mr. Stratton.

#### STATEMENT OF HON. SAMUEL S. STRATTON, A REPRESENTATIVE FROM NEW YORK

Mr. STRATTON. We're not operating, I hope, under the 5-minute rule on this, Mr. Chairman, because, as you indicated, after Mr. Courter and his supporters, and one of them is not here, had stated their case you were going to call on me to discuss this particular resolution, and I have no prepared statement, but I would like to speak to it at some length.

First of all, Mr. Chairman, I regard this resolution by the gentleman from New Jersey as supportive of the investigation which I initiated and which the committee has been conducting and which the committee is continuing, as I indicated in response to Mr. Dickinson.

The basic thrust of Mr. Courter's resolution really represents a more careful statement of the purpose of the investigation which I outlined to the subcommittee when we had our first meeting in a fairly lengthy statement from the Chair. In fact, I suggested rather tartly to Secretary Brown the other day, when he tried to suggest that we not hold a second meeting of the subcommittee, that he might read my statement and probably get some information from



it. They don't pay much attention to my statements over at the Pentagon, but I felt that he might find that instructive, and I dare say that he has.

So I want to express my appreciation to Mr. Courter and to Mr. Hopkins for their generous remarks about what has happened.

But I don't think, Mr. Chairman, that this is the proper way to proceed; to commend the subcommittee and to commend the chairman of the subcommittee for instituting the investigation and then try, as this resolution would do, to take it away from the subcommittee and to take it away from the chairman.

We are proceeding in an orderly manner in this committee. We have a subcommittee which is designated as responsible for oversight, and we had not just the Stealth release. We had three serious releases over the past couple of weeks that led me to feel that there was a serious problem of retaining custody over highly classified documents in the Pentagon. We had the disclosures on Stealth; we had the allegations by Jack Anderson that he had some kind of compartmentalized document which had to do with a projected new rescue operation in Iran; and we also had the release on the front page of the Washington Post on a new base for our Forward Deployment Forces being constructed in Egypt, and it seemed to me that we were having a hemorrhage of releases and it was about time for this committee to find out who was in charge of the intelligence store over at the Pentagon and who was protecting these documents, and, frankly, what we've found so far is far from encouraging, since the official, Admiral Murphy, who is in charge of intelligence matters in the Pentagon, took a very casual attitude to the whole thing, in effect, saying well, you really can't do much about this sort of thing, everybody is going to talk to the press, and in a free society we, after all, can't shut people up. In fact, Secretary Brown himself said in his testimony that since Watergate we can no longer dissimulate or refuse to give the American people the full facts, and that, he said, was the basic approach toward protecting secrets, including the Stealth secret.

So I think, Mr. Chairman, that the members of the subcommittee and the members of the full committee who sat in with us, including Mr. Courter, are aware that the chairman of the subcommittee is not going to be particularly soft on the Pentagon.

As a matter of fact, I would like to say that I was the one who came up with the idea of conducting this. Nobody else suggested it to me, not the Reagan campaign headquarters or Mr. Beard. It was my idea, and, as a matter of fact, not too many people showed up for our first hearing.

I would also point out that I was the one who developed the two surprise witnesses that were present at both the first session and the second session, actions which at the time shook up the Pentagon more, I think, than it has been shaken up for some time.

Mr. COURTER. Would the gentleman yield?

Mr. STRATTON. No, not at this point.

So that I think to suggest that there is some better way to go at this thing than to continue the hearings that we now have and the investigation that we now have would be a serious mistake.

Mr. COURTER. Would the gentleman yield at that point?



Mr. STRATTON. No, not at this point, please. I want to try to deal with this in a consistent way. The gentleman has had his time. Let me have my time.

Now let's take a look at this resolution.

It has to do, first of all, with information dealing with any authorization by the President or any official of the executive branch of the Government to any other official to disclose any information related to the new so-called Stealth technology.

We have received information in our hearing that the decision to disclose the information with regard to Stealth was made by Secretary Brown, and the authorization for that is contained in the statutes, and that was read into the record in our second hearing. Mr. Lally has the section and verse there which gives, first of all, to the Secretary of Defense, the authority to classify any particular matter and it also gives to the individual who classifies a particular item or a particular document the authority to declassify it, and Secretary Brown testified that he classified this Stealth thing and he declassified it. So he has the appropriate authority.

Now, obviously what Mr. Courter is suggesting is that we find out whether the President had any input into that decision. I have no particular hesitation about asking the President whether he had any input or didn't have any input, but I have been around this Congress long enough to know that when you start trying to get the President to testify the chances are that you're going to get into a long, drawn out hassle over executive privilege, and, having gotten into that once with Mr. Bert Lance in the very early days of this administration, I don't honestly think that it would be terribly productive for us, in an effort to try to find out where the problems in the Defense Department lie, which is what our proper area of authority is, to spend too much time in trying to subpoena the President or take the President to court on executive privilege. We know what's wanted in subsection (1).

The second subsection requests "any documents, memorandums, or other papers of the President or any official of the executive branch \* \* \*" and, as Mr. Courter indicated, we requested the Secretary of Defense to supply us with the documents which actually authorized the declassification of Stealth and which set the guidelines, as Mr. Brown has said, for the holdback and control of those remaining things, if any, which were still not released by his original release.

He hasn't given us all of those documents, but he has already provided us this morning with some of those documents, and Mr. Lally is in the process of analyzing them, and I think they are responsive to our request, but if there is not everything there that we want we will go after the Secretary of Defense and get what we can.

However, let me point out—and I think this is very important, and this is what Secretary Brown indicated to me—that this technology is in a very special type of security classification, a compartmentalized classification, and that would mean that they cannot present some of this information to this committee because if they give it to every member of the committee we are, of course, expanding the number of people who are exposed to it, and that is



the best way, as we all know, of eliminating any secrets. So I think we have to recognize that we're going to be limited to some extent.

Now with regard to the next point, "any ongoing investigation concerning the disclosure of information described in paragraph (1)," it is interesting to note—and I'm sure the gentleman from New Jersey recalls—that nobody thought of investigating this leak until the subcommittee announced that it was looking into it, and then we suddenly asked the Secretary, and the Deputy Secretary, Mr. Claytor, asked the Attorney General to look into the leak, and Admiral Murphy, who really didn't think you could ever track down these leaks, also went so far as to ask the Defense Investigative Service to look into it, and we have requested from Admiral Murphy and from Secretary Brown, if necessary, a progress report on how this investigation is proceeding, and that's exactly what Mr. Courter requests in subparagraph (3).

Finally, he asks for "current guidelines and procedures for the prevention from unauthorized disclosure of information\* \* \*", et cetera, et cetera. Here again Secretary Brown indicated that with the document which declassified Stealth also was prepared certain guidelines and procedures for protecting whatever was secret about Stealth after his press conference. Here again he indicated that these guidelines are in this compartmentalized category, and therefore we may not be able to get all of these statements. But certainly we would expect to get an understandable explanation of what is being dealt with.

Finally, Mr. Chairman, section 2 of the gentleman's resolution provides that once the committee has gotten all of this information it should then be disclosed to all of the Members of the House of Representatives in accordance with the rules of the House.

I think if the gentleman from New Jersey is really interested in protecting our secrets it would not be a good idea to disclose highly compartmentalized information to 435 Members of the House plus all of those additional delegates that Mr. Burton has succeeded in adding to the membership, and I think we would have to recognize that that section is impractical.

Therefore, Mr. Chairman, I would move that, in view of the fact that the committee is currently seeking to obtain, and expects to obtain, all of the information that the resolution requests, that the committee affirm its confidence in the Subcommittee on Investigations and vote adversely on the resolution.

Mr. COURTER. Will the gentleman yield?

Mr. BOB WILSON. Will the gentleman yield?

The CHAIRMAN. The Chair recognizes Mr. Wilson.

Mr. BOB WILSON. Thank you, Mr. Chairman.

I would like to ask Mr. Stratton a question or two.

Do you intend to continue this investigation?

Mr. STRATTON. That's right. As long as I'm alive and as long as the 96th Congress continues, and if I should be fortunate enough to be reelected to the 97th Congress and if there is anything then that hasn't been covered I pledge my scout's honor that we will continue it even then.

Mr. BOB WILSON. Do you intend, if necessary, to use the power of subpoena to get the facts from Secretary Brown or others who might have information?



Mr. STRATTON. Absolutely. Incidentally, I might say that Mr. Lally, who is a very capable attorney, discovered that when it comes to issuing subpoenas, the chairmen of subcommittees, which we weren't aware of, have the authority to issue those subpoenas. So if I have the power to subpoena you can count on me to be using it liberally.

[NOTE.—However, committee rules require that subpoenas be signed by the chairman of the committee.]

Mr. BOB WILSON. Mr. Chairman.

The CHAIRMAN. Mr. Wilson.

Mr. BOB WILSON. Mr. Chairman, I'm afraid that this matter is evolving into somewhat of a partisan contest.

Mr. BEARD. Would the gentleman yield on that?

Mr. BOB WILSON. Just let me make the statement first.

I regret that very much because I think the history of this committee has been one pretty much of nonpartisanship. But I must say that the revelations coming when they did are very much comparable to what happened back in 1964, when a week after the Republican Convention the President, then President Johnson, revealed the new SR-71, for political reasons which was going to revolutionize the world, and it appears very much to me that this action by the administration was for political reasons. So I may be inclined to cast a political vote on this particular resolution.

Mr. COURTER. Would the gentleman yield?

Mr. BOB WILSON. I yield to Mr. Courter.

Mr. COURTER. I thank the gentleman for yielding.

I just wanted to mention, because the gentleman did say it's turned into a partisan issue, it's not. I believe at least two members of this committee have cosponsored the resolution, No. 1.

I would like to just take one moment to respond to the gentleman from New York, Mr. Stratton, who had indicated that the resolution calls for all the information that the committee is looking into.

Unfortunately, I think the committee has run into a brick wall. The committee, very frankly, asked the Secretary of Defense as to whether he would comment on the involvement of the White House. The Secretary of Defense simply said, No. 1, "I have said all I am going to say," period, and No. 2, "And I won't go beyond that."

It seems to me that the resolution of inquiry has to do with the White House. It does not have to do with the Department of Defense. The Secretary stated his position. It is abundantly clear that he will provide information coming from the Department of Defense, but apparently will supply no information with regard to any contacts he had or memorandums or writings he received or sent to the White House on this matter.

So the resolution of inquiry, fairly and properly, has to look at the fact that we're looking at a different agency to examine, a different area of Government.

I might also add that Mr. Stratton's reading, I believe, of the resolution of inquiry is flawed because the resolution does not talk in terms of declassification. The resolution calls for a disclosure of information, and that really is the thrust of the matter here.



I am well aware of the fact that very possibly and very probably the Secretary of Defense made the decision to declassify. I'm talking in terms of disclosure, and that's the main thrust of the resolution, and that has not been answered by any of the requests in the committee, and, as I suggested before, the Secretary has said he was simply not going to get into that at all. So we need the resolution.

Mr. BEARD. Would the gentleman yield for one question?

The CHAIRMAN. The Chair recognizes Mr. Beard.

Mr. BEARD. I thank the chairman.

I also want to take this time to commend my subcommittee chairman, Mr. Stratton from New York, on the fine set of hearings.

I can also understand some of the concern expressed by my chairman regarding the duplicity of the resolution.

I would like to ask the mechanics of a resolution such as this. If I may get a reading from the staff as to if this resolution of inquiry were to be accepted and be passed by the House and this information was to be submitted to the House of Representatives, then does that information go to an established committee as indicated by the Speaker of the House?

Mr. HOGAN. Yes, sir, that's my understanding, Mr. Beard.

Mr. BEARD. So that information then presumably would go to an existing committee that's already into the investigation, such as the Investigations Subcommittee, that's already proceeding with the investigation?

Mr. HOGAN. Or it could go also to other committees that might have jurisdiction. For instance, the resolution is very broad and you might have the State Department involved, you might have some other agency involved, and possibly the Committee on Foreign Affairs might be privy to some of that information under the rules of the House. So I cannot say that it would only come to the Committee on Armed Services.

The CHAIRMAN. Mr. Mitchell.

Mr. MITCHELL. Thank you, Mr. Chairman.

Mr. BEARD. Mr. Chairman, I would like to——

The CHAIRMAN. Mr. Mitchell has been recognized.

Mr. MITCHELL. Thank you, Mr. Chairman.

The CHAIRMAN. Had you finished?

Mr. BEARD. No. I'm sorry. I wasn't through. I felt like I was just for a minute.

But if I may just real quickly state that I think that the members of this committee who have not had the opportunity to participate in the hearing that has been conducted by the Investigations Subcommittee would be totally, extremely shocked as to the way this entire situation was handled by the Secretary of Defense, his subordinates, as well as this administration in this particular issue. It was shocking, and I think all of you would lend your support to getting to the bottom of it.

The thing that I find about this resolution, I don't know if we have gotten the attention of the Secretary of Defense or the White House. The only thing that would somewhat encourage me to support the resolution would be giving the House of Representatives a chance to express their total disappointment, their shock, and their disenchantment at the possibility that security and the



declassification of national security issues could be done for political purposes.

So I do commend the gentleman from New Jersey for his initiative, and by the same token though, I will say in support of my chairman from New York he is pursuing this very actively and showing a great deal of courage, I think, in light of what could be a politically difficult situation for him.

Mr. CARR. Mr. Chairman.

The CHAIRMAN. Mr. Carr.

Mr. CARR. Thank you, Mr. Chairman, for recognizing me.

I want to respectfully disagree with my good friends on the Republican side of the aisle when they say that this is not politically motivated or isn't a partisan issue.

In fact, I think that we ought to vote down this resolution as not asking for all of the relevant information, or if we are to vote to approve this resolution we ought to amend it and enlarge it to include the disclosure of all the information by whatever administration.

In that connection, Mr. Chairman, I think that the attempts of the gentleman from New Jersey and the gentleman from Tennessee are transparently political.

I would like to hand out to some of my colleagues, particularly down at that end of the aisle, an Aerospace Daily article, the date of which is Friday, July 23, 1976. The headline is "Lockheed's Kelly, Johnson Building Stealth Aircraft," and it goes into—

Mr. BADHAM. Point of order, Mr. Chairman.

Mr. ICHORD. A point of order, Mr. Chairman.

The CHAIRMAN. Mr. Ichord.

Mr. ICHORD. As the gentleman from Michigan well knows, you're getting into details, and, as I stated before—perhaps the gentleman from Michigan was not here—I will move that we go into executive session if the gentleman starts going into those details.

Mr. CARR. Mr. Chairman, if I am allowed to continue, I think the gentleman will not object so strenuously.

First and foremost, let me say that I don't pass this item out as any admission or denial that the facts in Aerospace Daily are truths. None of the events of 1980 constitute the first leak that occurred in this matter. Taken then from the Aerospace Daily article, *Janes Old World Aircraft* in 1977 and 1978, 1978 and 1979, 1979 and 1980 editions, lifting from this, have also talked about Stealth aircraft. The Senate Armed Services defense authorization hearings, part 2, page 605, for the fiscal year 1981 mention Stealth. The arms control impact statement for fiscal year 1981, page 130 or 123—I'm not sure—also contains references to Stealth. And yet, this particular resolution of inquiry is coming down on this administration.

Mr. BADHAM. Would the gentleman yield?

Mr. CARR. For those of you who have a short memory, July 23, 1976 was yet another heated Presidential campaign in which President Gerald Ford was defending his incumbency, and I think that if this resolution has merit it has merit not only for this administration but for the past administration, for generals or Pentagon officials in the past administration who may now be out of office and may now be helping the Republican candidate for office.



Mr. BEARD. Would the gentleman defer to me on that statement? I would like the gentleman to yield, if he would.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. ICHORD. Mr. Chairman.

Mr. BEARD. Mr. Chairman, so we can pursue this, I ask unanimous consent to be allowed 5 minutes.

The CHAIRMAN. The committee will be in order.

Mr. Ichord.

Mr. ICHORD. I thank the chairman for recognizing me.

Let me state that we are all politicians and, hopefully, statesmen as well. We do know what time of the year it is, and we do know that it's impossible to keep this issue from being mixed up in Presidential politics. In fact, I will state quite frankly, as I stated in the subcommittee, as the gentleman from Tennessee well knows, this whole matter is so mixed up in Presidential politics that it stinks, and let me state quite frankly that I have information—and I will bring that to the attention of the chairman of the subcommittee—that both people in Governor Reagan's camp and people in President Carter's camp do not particularly have clean hands in regard to the revelation of facts about this matter.

But let me state to the gentleman from New Jersey, I have watched these Presidential inquiries many, many times. It's not going to produce anything, I believe, and I'm going to second the motion of the gentleman from New York that it be reported adversely.

I think all of the members know that the chairman of the Investigations Subcommittee, Mr. Stratton, is hell bent for a strong defense for this Nation, and nothing is going to deter him. I share his concerns, and that is the primary reason why I'm going to support the motion that it be reported adversely.

Let me state to the members of the committee that this is a program that was started back in the Ford administration and, in fact, it was not classified at that time. Everyone knows that we've been doing research into low radar cross sections. It was only classified, highly classified, when we started putting some money into it. The first man who knew about this program was the chairman of the full committee, the distinguished gentleman from Illinois, I think the second man was the second ranking member, the gentleman from California, and I as chairman of R. & D. didn't come into the knowledge until 1977, when I assumed that position, and then we started putting money into the program. I always facetiously referred to this program as a "Yawah" program. It was so highly classified that we couldn't even speak the code word.

I did insist that the gentleman from Alabama, the ranking member of the R. & D. Subcommittee, also be aware of it. Only a few staff members of this committee were aware of it.

I would state that some of the people downtown, and some members on this committee who were briefed that I personally do not think should have been briefed, even before the gentleman from New Jersey, a member of the R. & D. Subcommittee. I did not choose that. There were people slowly who began to know it. I did not know who knew about the program.



But anyway, in view of the year I would appeal to the gentleman from New Jersey to withdraw this motion in the interest of national security

Mr. BOB WILSON. Would the gentleman yield?

Mr. ICHORD. I yield to the gentleman.

Mr. BOB WILSON. I appreciate the gentleman's statement.

There is one point I think that should be made, that we must get further along with, and that is not the existence of leaks. We always have leaks. Even nuclear submarines have leaks. It's the revelation of the accuracy of the leaks that is a breach of security. That's been a basic law of intelligence for years. I've served on the Intelligence Committee for 28 years, and I can remember Allen Dulles saying, "The unfortunate thing about the CIA is they can neither confirm nor deny the reports that are made about certain secrets."

Mr. ICHORD. If I may reclaim my time?

I stated that I think there was a mistake made, that the proper procedure should have been denial, and I think that's what Mr. Shimmer was stating—he came into my office after the hearing—and I happen to agree that we should have neither denied nor confirmed, in my own humble opinion.

Mr. MITCHELL. Mr. Chairman.

The CHAIRMAN. Mr. Mitchell.

Mr. MITCHELL. Thank you, Mr. Chairman.

I would like to ask Mr. Stratton some questions on the timing of his investigation.

If this committee leaves the investigation in the hands of his subcommittee I think we have to complete it or get some serious questions answered prior to election.

Mr. Stratton mentioned that he would carry the investigation into the next Congress if he were fortunate enough to be reelected. I think we need answers prior to this election, not in the next Congress. I think there's been a very serious breach of security in what appears to be a shabby, shameful act purely for political purposes, and I think the voters have to have the information so that they can help resolve the question prior to the election. My vote on the Courter resolution will be based on how I feel we can best get the full facts the soonest, whether we leave it in the committee hands or whether we go with the Courter resolution.

I would like to have the chairman respond, if I could.

Mr. STRATTON. I anticipate that the Defense Department is going to respond to our request and that we're going to get as much information as is available. Some of it is going to be highly classified, as I understand it, and I am not privy, I was never privy, to this secret myself. So I don't know how much of this information can be disclosed to how many members of the committee.

I would anticipate that in the next 3 weeks we would have enough answers here to meet the requests of the resolution, and actually the resolution confers no more authority on this subcommittee than the subcommittee already has. I don't think that the gentleman is expecting the subcommittee to work after the 4th of October. But certainly we will do everything we can up to that date to try to get as much information as possible.



I don't think we're ever going to get Secretary Brown to admit that he made a mistake. But we will get the answers to these questions.

Mr. MITCHELL. One more question, if I may, Mr. Chairman.

Does the chairman of the Investigations Subcommittee feel that the Courter resolution might supplement his efforts? Could we carry on the investigations in tandem perhaps?

Mr. STRATTON. No. You don't have two investigations going on in one committee. We have an orderly procedure.

As Mr. Hogan has indicated, if you want to turn this over to the Foreign Affairs Committee or the Interior and Insular Affairs Committee instead of leaving it in the hands of a responsible committee like the Armed Services Committee, this would be a darn good way of doing it.

Mr. ICHORD. If I might reclaim my time?

Often we see in Washington where several committees investigate a situation like this simultaneously, and I think it perhaps helps to get to the bottom of the matters.

Mr. STRATTON. You don't really mean that with regard to the Pentagon and the Armed Forces of the United States that we have the Foreign Affairs Committee looking into it or the Insular Affairs Committee or even the Budget Committee.

Mr. MITCHELL. I would just like to have someone look into it who gets the answers prior to the election. I think December 29 is a little bit late.

Mr. BEARD. Will the gentleman yield?

Mr. MITCHELL. I yield to my friend from Tennessee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BEARD. I was in the process of asking a question, Mr. Chairman. Do I still have the time?

The CHAIRMAN. No.

Mr. BEARD. All right. I'll yield.

The CHAIRMAN. Mr. Daniel.

Mr. DAN DANIEL. Thank you, Mr. Chairman.

I think it's perfectly obvious to all of us from the sound of this discussion that someone's ambition consumed his judgment.

I can well understand the feeling of the gentleman from New Jersey. I share his deep concern and deplore as strongly as he or anyone else does the leaking of this information. But, Mr. Chairman, it seems to me that to further ventilate it can do nothing but compound the matter.

The procedure which has been outlined by Mr. Hogan, in my judgment, will best help us get to the answers to our questions, and I would not only support the gentleman from New York, Mr. Stratton, but would strongly and respectfully recommend that when this matter is reported adversely to the floor the chairman of the full committee immediately move to lay the matter on the table.

Mr. DAVIS. Mr. Chairman.

The CHAIRMAN. Mr. Davis.

Mr. DAVIS. I move the committee act on Mr. Stratton's motion.

The CHAIRMAN. Without objection, the previous question is moved. The question is on the motion.

Mr. BADHAM. Parliamentary inquiry, Mr. Chairman.



The CHAIRMAN. The gentleman will state it.

Mr. BADHAM. Is it the desire in taking this motion to discontinue debate among those who have been waiting patiently to have such debate?

The CHAIRMAN. If I may answer that? I think there have been no objections to the motion.

Mr. DAVIS. I believe we've had some time for the political discussion. Everybody has had their chance to be on TV. Let's get on with the matter. I believe we ought to go ahead and vote.

Mr. BADHAM. You can take the cameras out as far as I'm concerned, Mr. Chairman.

The CHAIRMAN. The question is on the motion. Those in favor of the motion will vote aye.

[Chorus of "Ayes."]

The CHAIRMAN. Those opposed will vote no.

[Chorus of "Nos."]

The CHAIRMAN. In the opinion of the Chair the ayes have it.

Mr. COURTER. Mr. Chairman, I ask for a roll call vote.

The CHAIRMAN. The vote occurs on the motion of Mr. Stratton to report House Resolution 777 adversely. Those in favor of the motion will vote aye.

[Chorus of "Ayes."]

The CHAIRMAN. Those opposed will vote no.

[Chorus of "Nos."]

The CHAIRMAN. The ayes appear to have it.

Mr. COURTER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. The ayes and nays are demanded. [Showing of hands.]

The CHAIRMAN. A sufficient number. The clerk will call the roll.

Mr. FORD. Mr. Price.

The CHAIRMAN. Aye.

Mr. FORD. Mr. Bennett.

Mr. BENNETT. Aye.

Mr. FORD. Mr. Bob Wilson.

Mr. BOB WILSON. Aye.

Mr. FORD. Mr. Stratton.

Mr. STRATTON. Aye.

Mr. FORD. Mr. Ichord.

Mr. ICHORD. Aye.

Mr. FORD. Mr. Dickinson.

Mr. DICKINSON. No.

Mr. FORD. Mr. Nedzi.

[No response.]

Mr. FORD. Mr. Charles Wilson.

The CHAIRMAN. Aye by proxy.

Mr. FORD. Mr. Whitehurst.

[No response.]

Mr. FORD. Mr. White.

[No response.]

Mr. FORD. Mr. Nichols.

[No response.]

Mr. FORD. Mr. Spence.

Mr. SPENCE. Aye.



Mr. FORD. Mr. Brinkley.  
 Mr. BRINKLEY. Aye.  
 Mr. FORD. Mr. Mollohan.  
 Mr. DAN DANIEL. Aye by proxy.  
 Mr. FORD. Mr. Beard.  
 Mr. BEARD. Present.  
 Mr. SPENCE. Mr. Chairman, I have Mr. Whitehurst's proxy. I failed to advise. Mr. Whitehurst votes no.  
 Mr. FORD. Mr. Whitehurst votes no by proxy.  
 Mr. Dan Daniel.  
 Mr. DAN DANIEL. Aye.  
 Mr. FORD. Mr. Montgomery.  
 Mr. MITCHELL. Mr. Montgomery votes aye by proxy.  
 Mr. FORD. Mr. Mitchell.  
 Mr. MITCHELL. No.  
 Mr. FORD. Mr. Aspin.  
 The CHAIRMAN. Aye by proxy.  
 Mr. FORD. Mrs. Holt.  
 Mr. SPENCE. No by proxy.  
 Mr. FORD. Mr. Dellums.  
 Mr. DELLUMS. Aye.  
 Mr. FORD. Mr. Davis.  
 Mr. DAVIS. Aye.  
 Mr. FORD. Mr. Robert Daniel.  
 Mr. SPENCE. No by proxy.  
 Mr. FORD. Mrs. Schroeder.  
 Mrs. SCHROEDER. Aye.  
 Mr. FORD. Mr. Kazen.  
 Mr. KAZEN. Aye.  
 Mr. FORD. Mr. Hillis.  
 [No response.]  
 Mr. FORD. Mr. Won Pat.  
 [No response.]  
 Mr. FORD. Mr. Carr.  
 Mr. CARR. Aye.  
 Mr. FORD. Mr. Emery.  
 [No response.]  
 Mr. FORD. Mr. Lloyd.  
 [No response.]  
 Mr. FORD. Mr. McDonald.  
 Mr. McDONALD. No.  
 Mr. FORD. Mr. Tribble.  
 Mr. COURTER. No by proxy.  
 Mr. FORD. Mr. Stump.  
 Mr. STUMP. Present.  
 Mr. FORD. Mr. Leach.  
 [No response.]  
 Mr. FORD. Mr. Badham.  
 Mr. BADHAM. Present.  
 Mr. FORD. Mrs. Byron.  
 Mrs. BYRON. Aye.  
 Mr. FORD. Mr. Mavroules.  
 [No response.]  
 Mr. FORD. Mr. Dougherty.



[No response.]

Mr. FORD. Mr. Wyatt.

[No response.]

Mr. FORD. Mr. Bailey.

Mr. BAILEY. Aye.

Mr. FORD. Mr. Courter.

Mr. COURTER. No.

Mr. FORD. Mr. Hutto.

Mr. HUTTO. Aye.

Mr. FORD. Mr. Evans.

Mr. EVANS. No.

Mr. FORD. Mr. Hopkins.

Mr. HOPKINS. No.

Mr. FORD. Mr. Chairman, on this vote there are 20 ayes, 10 nays, and 3 votes present.

The CHAIRMAN. The motion is agreed to, and accordingly the bill will be adversely reported to the floor for consideration.

Mr. COURTER. Mr. Chairman.

The CHAIRMAN. Mr. Courter.

Mr. COURTER. I ask unanimous consent to address the committee for 1 minute.

The CHAIRMAN. Without objection.

Mr. COURTER. Thank you, Mr. Chairman.

Mr. Chairman, I have been sitting here for probably the last hour listening to some of this debate. I resent very deeply two things.

No. 1, the accusation by some members of the majority party that I want this for partisan purposes only. I resent that very deeply, No. 1.

No. 2, I resent it very much that the majority party here in this committee has decided to cut off any type of significant debate on this important resolution of inquiry. There was at least one member who had his hand up and had not been recognized, and I would just like to say that for the record.

And finally, that I think the arguments against the resolution of inquiry try to obfuscate the real issue, and the real issue here is what the White House knew with regard to the release of information. The issue is not whether the Department of Defense knew or authorized the release of information, and, unfortunately, Mr. Chairman, because of the way this committee has comported itself in the last 30 minutes, I suppose that question will go unanswered forever.

Mr. BEARD. Will the gentleman yield?

Mr. COURTER. I yield.

Mr. BEARD. I would like to support the gentleman on his concern and his disappointment, as it is mine, and my shock, as a matter of fact, that the debate was eliminated on what I consider a very important issue, even though I do support the activities of my chairman. I cannot remember in many a year when ever debate has been cut off in this committee, which only to me tends to make it partisan.

I would say to my friend from Michigan if he had attended some of the hearings on this investigative subcommittee he would understand that those great revelations being brought before us had



been brought before the committee by myself and other members showing and pointing out the fact that it is confusing, that these leaks were considered deplorable on August 11 and 14 when other leaks had happened, but they decided to declassify them during the Democratic Convention.

Chairman PRICE. The gentleman's 1 minute has expired after 3 minutes.

I would state to the gentleman that this is not the first time when we've voted down a previous motion that we've had that problem, and I doubt if it will be the last time that we don't have some kind of controversy.

Mr. BOB WILSON. Mr. Chairman.

The CHAIRMAN. Mr. Wilson.

Mr. BOB WILSON. Mr. Chairman, I have had the clerk distribute a committee resolution that has not been brought up before, but it's a very innocuous resolution. It honors the former Secretary of the Navy, Charles Sparks Thomas, who served from May 3, 1954, to April 1, 1957.

I must ask, first of all, unanimous consent to bring this resolution up for immediate consideration.

Mr. BADHAM. We'll vote, reserving the right to object.

Mr. Chairman, I appreciate the order that we have proceeded with this morning, even to the point of following parliamentary procedure and cutting off debate, which is clearly within the rules. However, still reserving the right to object, I would like permission at some point to proceed out of order for 1 minute.

The CHAIRMAN. Is there objection?

[No response.]

The CHAIRMAN. The Chair hears none. The gentleman is recognized.

Mr. BADHAM. Thank you, Mr. Chairman.

Very simply, I am very disappointed that the gentleman from Michigan has departed so early, but I would like to, for the record, associate myself with the remarks of the gentleman from Missouri, who has been entirely correct in the chronology of this, and I'm sorry that the gentleman from Michigan, either purposely or inadvertently, was unaware that on July 29, 1976, this matter was not classified, as was pointed out.

I would further like to commend the chairman of the subcommittee for the zeal with which he has pursued this investigation, which he says would not have taken place unless he initiated it, and that's fine. I hope that he continues to pursue it with the zeal that he has thus far because I think this is of extreme seriousness, and I think that the resolution of inquiry and at least a subpoena should follow in the course of the Investigations Subcommittee for the reason that George Wilson's article of August 11 did point out that there were folks in the White House, on the one hand, who claimed they knew nothing about it. On the other hand, statements were made by members of the White House staff that the President was going to, if you will pardon the expression, drop a bomb at the Democratic Convention, and for people who didn't know about it they exposed an awful lot right then, unless Mr. Wilson is dead wrong.

I thank you, Mr. Chairman. I yield back.



The CHAIRMAN. Mr. Dellums.

Mr. DELLUMS. Thank you, Mr. Chairman.

I would like to respond very briefly to my Republican colleague, and indicate that I did not vote against the resolution for partisan or political reasons.

[Inaudible. Not speaking into mike.]

First of all, I opposed it on the grounds of timing, right in the middle of Mr. Stratton's investigation. It would seem to me that if Mr. Stratton's investigation was insufficient or flawed for whatever reason it would seem that that would be the appropriate moment to bring it back as a resolution.

Second, I question the form of his resolution. I do indeed agree with my colleague from Michigan that in this way his resolution is flawed because if you go into partisan matters it would seem to me that you should go into many other matters, and that would take into consideration whatever appropriate time frames may be involved in the subject.

Finally, it would seem to me that we have a prime responsibility here to maintain the integrity of the process. To take this resolution out of the hands of Mr. Stratton at this point and make a very mild statement with respect to that Investigations Subcommittee, we all know on this Committee that Mr. Stratton is anything but happy with the situation.

Mr. COURTER. Would the gentleman yield very briefly on that?

Mr. DELLUMS. I yield.

Mr. COURTER. This resolution does not take anything out of the hands of anybody. It supplements the information that the subcommittee requested. The subcommittee, if you listened to the entire debate, or if you had been in the subcommittee, never even requested White House documentation, White House statements, White House memorandums, and the resolution of inquiry goes into an area that was never even suggested by the committee itself. So it's really to supplement that.

I yield back my time.

Mr. DELLUMS. Mr. Chairman, just one other comment.

For the record, the gentleman from New York indicated that he was more than willing to go into these matters.

Finally, I would say to my colleague, who said that the investigation has to be concluded by election time, it would seem to me that if high crimes and misdemeanors are uncovered——

Mr. COURTER. If the gentleman will yield, I never said that.

Mr. DELLUMS. I'm not speaking to the gentleman.

If indeed high crimes and misdemeanors become a reality after some such inquiry, this body has appropriate action that it can take.

The CHAIRMAN. Mr. Wilson.

Mr. BOB WILSON. Mr. Chairman, may I ask the gentleman from California if he withdraws his reservation?

Mr. BADHAM. I withdraw my reservation and do not object.

Mr. BOB WILSON. The resolution concerns a constituent of the gentleman from California.

I ask unanimous consent that a resolution be adopted by the committee honoring Secretary Thomas on his 83d birthday, which will be the 28th of September, at which time Admiral Arleigh



Burke, and I, and a few others will be traveling to Independence, Mo., where we will unveil a plaque on the home in which Secretary Thomas was born back in 1897.

I ask unanimous consent that the committee pass this resolution. The CHAIRMAN. Without objection.

# RESOLUTION IN HONOR OF CHARLES SPARKS THOMAS

Secretary of the Navy, May 1954 to April 1957

Whereas the Honorable Charles Sparks Thomas served from May 3, 1954 to April 1, 1957 as Secretary of the Navy with honor, devotion and distinction; Whereas during World War II, with service as a special assistant to Secretary of the Navy James Forrestal, he set up the Navy's Inventory and Purchasing Control Program and the first Contract Negotiation Section;

Whereas as Assistant Secretary of Defense (Supply and Logistics) from July 1953 to May 1954, he won recognition for developing a plan to consolidate 4½ million items of Armed Forces equipment in a single catalogue, designed to save considerable expense and duplication in procurement;

Whereas his unswerving dedication to a strong national defense, and his ability, expertise and determination contributed to the solution of many difficult problems relating to our national security posture;

Whereas we, his friends and members of the Committee on Armed Services have valued his friendship, guidance and counsel through the years; Now thereby be it

*Resolved*, That in recognition of his outstanding public service to his country and its citizens, we, the members of the Committee on Armed Services, offer this Resolution to Secretary Charles Sparks Thomas in appreciation, and now be it

*Further resolved*, That this Resolution be spread upon the record of the Committee on Armed Services and that a copy thereof be transmitted to Secretary Thomas on the occasion of his 83rd birthday, along with the sincere gratitude of the Committee membership and staff.

Mr. MITCHELL. Mr. Chairman, may I ask unanimous consent to speak out of order for 1 minute?

The CHAIRMAN. The gentleman is recognized.

Mr. MITCHELL. Thank you. Mr. Chairman.

I would just like to point out again that timing is so important in this situation. If the administration is guilty of a breach in security, for political gains, then the severest penalty we can impose is to throw them out of office, throw the rascals out.

The investigation may not result in something that demonstrates high crimes and misdemeanors, or an impeachable offense, but it may demonstrate an inability to govern. I think we should have the results of the investigation prior to the election, and I would urge the gentleman from New York to complete his investigation at the earliest possible moment.

The CHAIRMAN. The committee is adjourned.

[Whereupon, at 12:27 p.m., the committee adjourned.]











