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REPORT OF THE
COMPTROLLER GENERAL
OF THE UNITED STATES

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Executive-Legislative Communications
And The Role Of The Congress
During International Crises

This report contains the results of a survey of
Members of Congress.

The survey disclosed that a large majority of
Members seem to believe the Congress must
assume a more assertive role in the manage-
ment of international crises, and that the Con-
gress must find improved ways of securing
meaningful, timely information during such
crises. This report suggests the time may be
propitious for the Congress to experiment
with new types of arrangements for coopera-
ting with the executive branch.

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SEPT. 3, 1976

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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

8-133001

CI
The Honorable Dante B. Fascell
Chairman, Subcommittee on International
Political and Military Affairs
Committee on International Relations
House of Representatives

ASE 01305

Dear Mr. Chairman:

This report summarizes the responses of Members of Congress to a questionnaire on executive-legislative communications and the role of the Congress during international crises. The survey, which we designed along with the Subcommittee, was initiated in February and completed in May 1976.

We anticipate wide public interest in the matters discussed in the report. Therefore, as arranged with your office we are distributing the report to other committees and Members of Congress, the Department of State, and other interested parties.

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Sincerely yours,

ACTING

R. F. Kellman
Comptroller General
of the United States

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D I G E S T

Considerable attention has recently centered on the constitutional aspects of foreign affairs, particularly the role and responsibility of the Congress. An important element of this attention has been on the role exercised by the Congress during international crises.

This survey sought the views of Members of Congress on the adequacy of the communications between the executive and legislative branches during recent international crises as well as the appropriate role the Congress should play during such crises.

A questionnaire was mailed to all Members of Congress. About 45 percent of the Members participated in the survey. Those Members participating in the survey represent a subpopulation composed of a somewhat greater proportion of House Members, Members with less tenure, Members from the Northeast, and Democrats, than the whole Congress.

SURVEY RESULTS

Information flow to the Congress

Many Members of Congress have expressed concern about their ability to influence foreign policy issues due to the inadequacy of information available to the Congress. To ascertain the degree to which this is perceived as a problem during international crises, Members were questioned as to the quantity, quality, and timeliness of information received during four recent international crises--the late 1975 war in Angola; the May 1975 seizure of the U.S. merchant ship, Mayaguez, by Cambodia; the April 1975 Vietnam evacuation; and the October 1973 Mideast War.

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Additionally, because several different committees held hearings to secure information during the 4-day Mayaguez crises, at which executive branch officials testified, Members were questioned as to their principal source of information during this crisis. Four out of five responded that the public media was their principal source of information. Three out of five Members serving on the committees directly concerned with international political and military affairs responded that public media was their principal information source.

With respect to the quantity, quality, and timeliness of executive branch supplied information, the Members responded as follows.

	<u>Excellent or good</u>	<u>Fair</u>	<u>Poor or unsatis- factory</u>	<u>No basis to judge</u>
War in Angola (late 1975)	17%	11%	62%	10%
Mayaguez seizure (May 1975)	50	24	26	-
Vietnam evacuation (April 1975)	26	20	44	10
Mideast War (October 1973)	23	15	30	31

Congressional role in individual
crisis management

Concerning the role of the Congress during international crises, four out of five Members responding took the position that the Congress must assume a more active role in the future.

Executive branch control of international communications and the daily conduct of foreign relations during times of international crisis has made it difficult for the Congress to exercise its constitutional and statutory powers and responsibilities particularly in situations involving the use of force.

The War Powers Resolution of 1973 requires the President to consult with the Congress in every possible instance before committing U.S. Forces

into hostilities or into situations where imminent involvement in hostilities is clearly indicated. About 60 percent of the Members responded that the Mayaguez seizure was a situation requiring such consultation but felt that the Congress was informed rather than consulted. About one-third of the Members felt that they had no basis to judge on the consultation question while only 5 percent felt the Congress had been actually consulted.

Several structural changes were identified for Members' consideration.

	<u>Percent of Members</u>		
	<u>Supporting</u>	<u>Opposed</u>	<u>Undecided</u>

A system whereby information concerning a crisis would automatically flow to the Congress. (For example, a congressional watch center which would be activated during crises to receive the same information which flows to the various executive branch watch centers.)

	68	21	11
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Requiring a senior administration official (or officials) to observe executive branch deliberations during crises and concurrently to provide the Congress with full information on ongoing events.

	58	25	17
--	----	----	----

Granting (a small number of) Members of Congress observer status

	Percent of Members		
	<u>Supporting</u>	<u>Opposed</u>	<u>Undecided</u>

on the National Security Council or other crisis management groups.	40	35	25
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Establishing direct participation of Members of Congress in deliberations of the National Security Council or other crisis management groups.	39	38	23
---	----	----	----

Establishing a special congressional committee to serve as a focal point for information during international crises.	25	47	28
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Finally, Members were asked whether the Government's performance should be assessed after an international crisis. Seventy-eight percent of the Members felt it should and 63 percent of these felt that the Congress should participate in the assessment.

MATTERS FOR CONSIDERATION OF THE CONGRESS

A large majority of responding Members seem to believe that the Congress must assume a more assertive role during international crises and that the Congress must find improved ways of securing meaningful, timely information during such crises. Other trends such as the degree to which commerce--which the Congress has the sole power to regulate--is becoming more central to U.S. foreign affairs, indicate that the Congress may need to prepare itself to play a broader role in foreign affairs management.

Therefore the time may be propitious for the Congress to experiment with new kinds of

arrangements for cooperating with the executive branch in such management. The Subcommittee on International Political and Military Affairs may want to explore ways of keeping the Congress informed during crises, such as implementation of the congressional watch center proposal or requiring a senior administration official to observe executive branch deliberations during crises and providing the Congress with full information on ongoing matters. Any approach would require the development of satisfactory arrangements for protecting both sensitive and classified executive branch information and arrangements for using and acting upon such information by the Congress.

CHAPTER 1

INTRODUCTION

At the request and under the auspices of the Subcommittee on International Political and Military Affairs, House Committee on International Relations, we have conducted a survey of the Congress. The survey sought Members' views on the adequacy of communication between the executive and legislative branches of Government concerning international crisis situations, as well as the Congress' role during such situations.

The survey was conducted by a questionnaire that we developed, along with the Subcommittee. The questionnaire was pretested and later mailed to 539 Members of Congress. In addition to the 535 voting Members of Congress, we sent questionnaires to the Representatives of the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. Two followup letters were sent to encourage greater response. We received responses from 244 Members. Since one Member passed away and one resigned during our survey, this represents 45.4 percent of the Congress. Five respondents contacted us or the Subcommittee without completing a questionnaire; one was strongly opposed to any involvement of the Congress in international crises. Also one questionnaire was not properly completed. We analyzed completed questionnaires of 238 Members (44.3 percent).

CHAPTER 2

PROFILE OF MEMBERS RESPONDING TO THE SURVEY

The U.S. Congress has 539 Members. There are 100 (18.6 percent) Senators and 439 (81.4 percent) Representatives. Of the total questionnaire respondents, 37 (15.5 percent) were Senate Members, and 201 (84.5 percent) were House Members. The table details the response rate.

	<u>Senate</u>	<u>House</u>	<u>Total</u>
Total	100	a/437	a/537
Respondents	37	201	238
Nonrespondents	63	236	299
Response rate	37%	46%	44.3%

a/Reflects one death and one resignation.

We divided the United States into four geographic regions: Northeast, West, South, and North Central. The table below shows the regional distribution of respondents.

	<u>Northeast</u>	<u>West</u>	<u>South</u>	<u>North Central</u>	<u>Other</u>	<u>Total</u>
Total	120	103	166	145	3	537
Respondents	67	48	72	50	1	238
Nonrespondents	53	55	94	95	2	299
Response rate	55.8%	46.6%	43.6%	34.5%	33.3%	44.3%

The Congress as a whole is 34.1 percent Republican and 65.5 percent Democratic. Our respondents show a similar trend in that 27.7 percent are Republicans and 72.3 percent are Democrats. The table below shows the respondent and nonrespondent party breakdown.

	<u>Republican</u>	<u>Democrat</u>	<u>Other</u>	<u>Total</u>
Total Members	183	352	2	537
Respondents	66	172	0	238
Nonrespondents	117	180	2	299
Response rate	36.1%	48.9%	0	44.3%

The present Congress is made up of a large number of new Members. Of the 537 Members, 184 (34.3 percent) were first elected sometime after 1971. One hundred and five, or 44.5 percent, of the respondents to our survey whose years of service could be determined were first elected after 1971. The response rates are shown below.

	<u>First year elected</u>				
	<u>Before 1960</u>	<u>1960-63</u>	<u>1964-67</u>	<u>1968-71</u>	<u>1972-75</u>
Total	113	64	77	95	184
Respondents	38	26	27	40	105
Non-respondents	75	38	50	55	79
Response rate	33.6%	40.6%	35.1%	42.1%	57.1%

Four congressional committees are directly concerned with international political and military affairs.

1. House Committee on International Relations.
2. Senate Committee on Foreign Relations.
3. House Committee on Armed Services.
4. Senate Committee on Armed Services.

One hundred and two Members of Congress were members of these committees. Thirty-eight, or 16 percent, of the respondents were on these committees. This represents a 37.3 percent response rate of members of the above committees as compared to a 46 percent response rate for nonmembers.

We made separate analyses of response rates according to party within each Chamber. These analyses disclosed that the subgroup with the highest response rate was that of Democratic Members of the House.

	<u>Republican</u>	<u>Democrat</u>
House:		
Respondents	52	149
Nonrespondents	93	143
Response rate	35.9%	51%
Senate:		
Respondents	14	23
Nonrespondents	24	37
Response rate	36.8%	38.3%

We also found that Democrats who were first elected after 1971 had a response rate of 65 percent--much higher than Republicans who were first elected during the same time, and higher than members of both parties who were first elected before 1972.

In summary, the respondents to our survey

- have less tenure, on the average, than do other Members of Congress;
- represent a higher proportion of Democrats than does the whole Congress;
- represent a higher proportion of House Members than does the whole Congress; and
- represent a higher proportion of Members from the Northeast.

CHAPTER 3

ANALYSIS OF MEMBER RESPONSE

Interest in executive-legislative branch communications during international crises arose after the seizure of the U.S. ship Mayaguez on May 12, 1975. We asked Members of Congress several questions about communications during the Mayaguez incident and during other recent international crises. We also asked about the past and possible future roles of the Congress during such incidents.

MAYAGUEZ AND OTHER INTERNATIONAL INCIDENTS

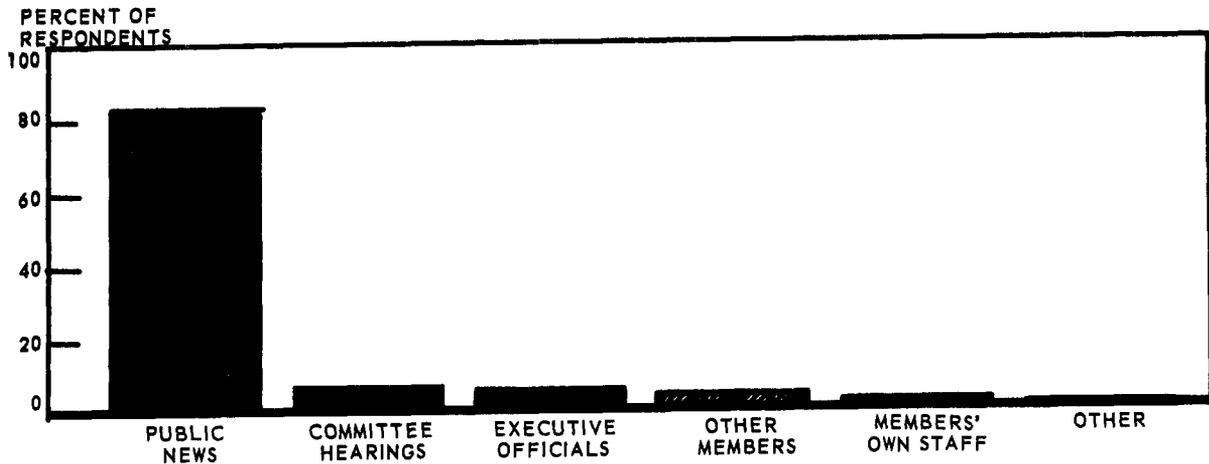
Mayaguez incident

Nearly all the responding Members received information about the Mayaguez seizure during the incident from public news sources (222 Members or 93.3 percent). Almost half (48.3 percent) of those responding received some information from other Members of Congress. The Members' major sources of information about the Mayaguez seizure is summarized below.

Members Reporting Use

<u>Source</u>	<u>Number</u>	<u>Percent</u>
Public news	222	93.3
Other Members	115	48.3
Members' own staff	86	36.1
Direct contact with executive branch officials	56	23.5
Participating in committee hearings	33	13.9
Other	8	3.4

When asked to identify their principal information source respondents cited public news media.



Four committees are directly concerned with international political and military affairs, three of which held hearings on the seizure during the crisis.

Of the 221 Members responding, 140 (63.3 percent) reported receiving no information from executive branch officials during the incident. For the remaining 81 Members, the most common source of information was the Department of Defense. The following table breaks down the executive information sources these 81 respondents cited.

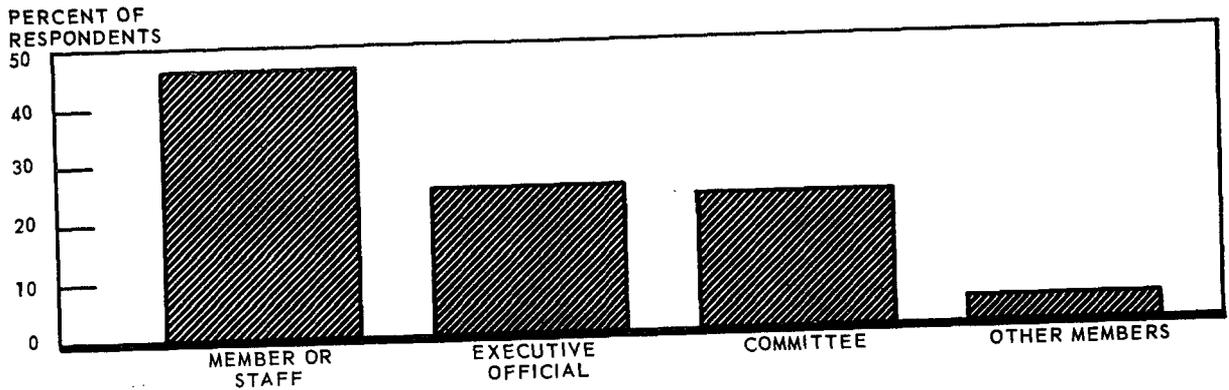
Executive Branch Source for 81 Members

	<u>Members</u>	<u>Percent</u>
White House	35	43.2
State Department	42	51.9
Department of Defense	44	54.3
Other	4	4.9

Senators and Republicans received more executive branch information during the incident than did House Members and Democrats. The members of the four congressional committees directly concerned with international political and military affairs also received more executive branch information than did nonmembers.

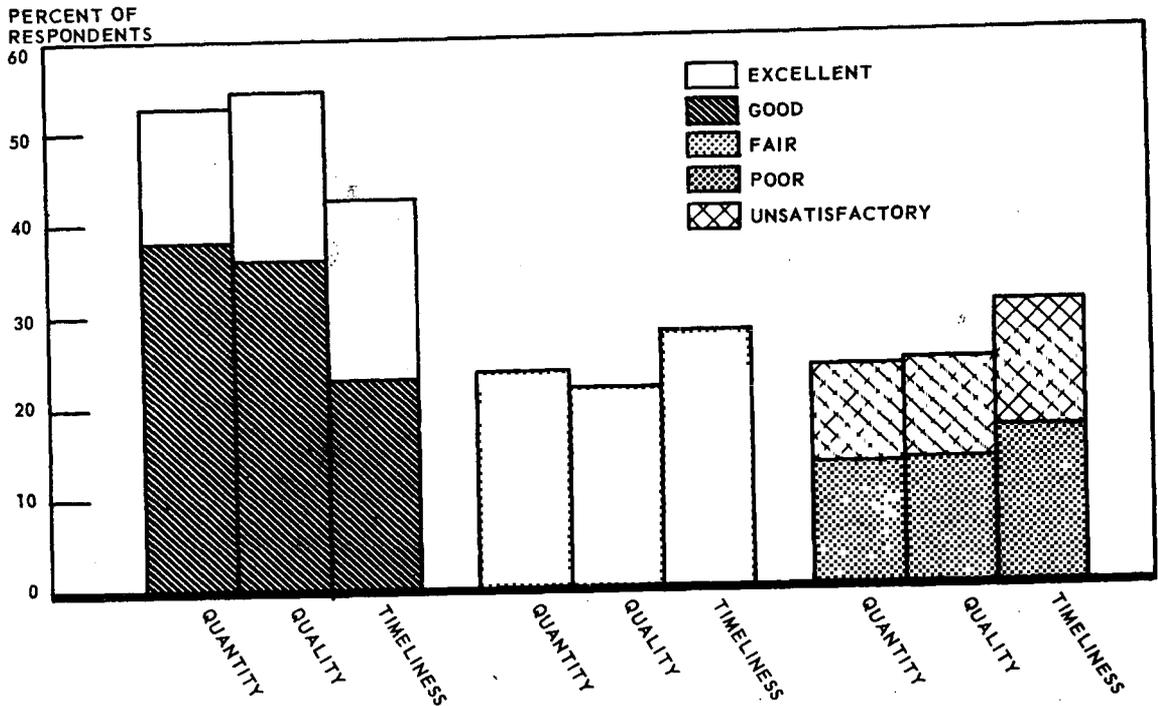
The executive branch contacts were initiated primarily by the Members themselves or their staff. Those who initiated the contacts, as reported by 71 responding Members, are shown below.

INITIATOR OF EXECUTIVE BRANCH CONTACT



We asked those Members who had received information from the executive branch concerning the Mayaguez incident to rate the information according to the following three factors: quantity, quality, and timeliness. We found a great variation in the responses but little discrimination among the factors. That is, generally a respondent rated all three factors equally rather than rating one dimension of the information as good and another poor. The following graph, then, should be interpreted more as an overall rating of the information rather than as three discrete measures.

RATING OF EXECUTIVE BRANCH INFORMATION RECEIVED DURING MAYAGUEZ INCIDENT

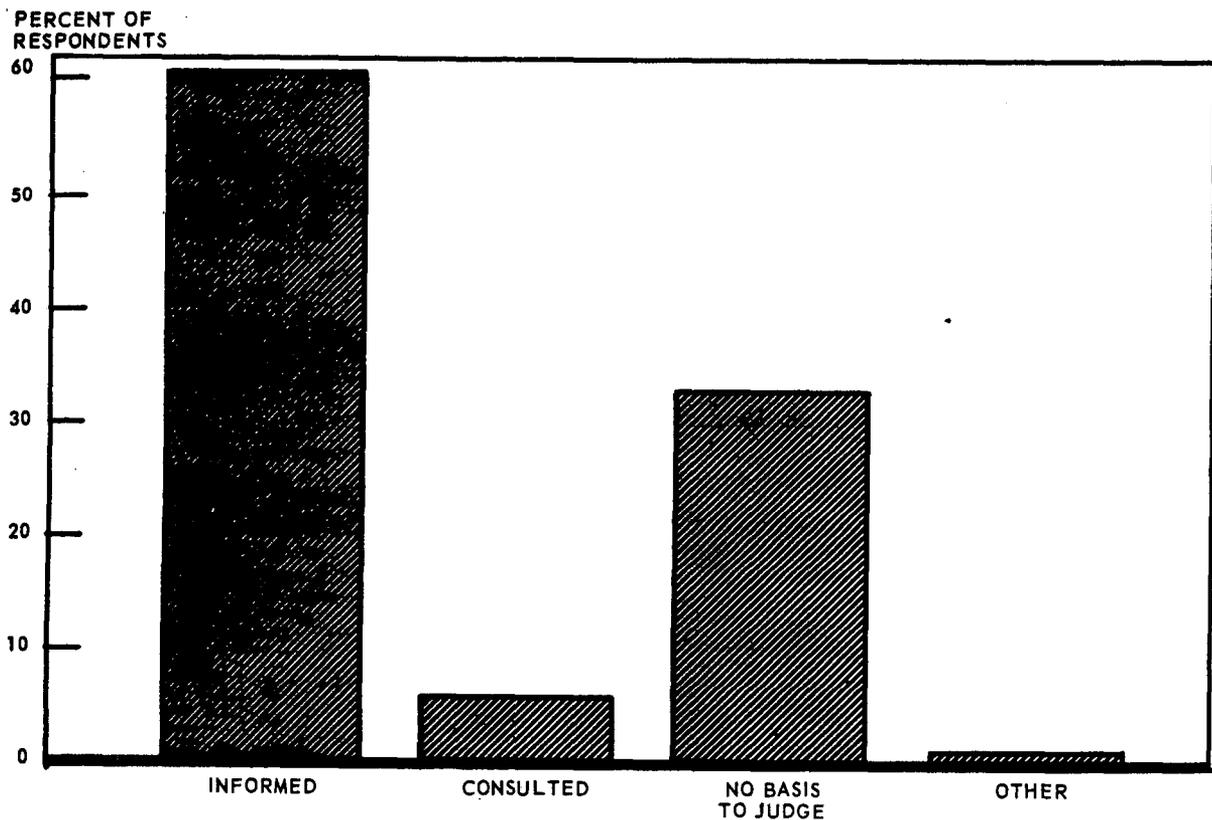


Section 3 of the War Powers Resolution states:

"The President in every possible instance shall consult with Congress before introducing U.S. Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances* * *."

We asked the Members of Congress, "Do you believe that the Mayaguez seizure was a situation that required consultation with Congress under this resolution?" Nearly 59 percent of the respondents, 136 of 231, felt that under this resolution the Mayaguez seizure was a situation that required consultation with the Congress. Of these 136 Members, only 9 believed that the Members who were contacted during the incident were consulted rather than merely informed. The overall results of this question follow.

WERE CONTACTED MEMBERS CONSULTED OR INFORMED?



Other international incidents

The Members were also asked to rate executive branch information received during the following international incidents:

--October 1973 Mideast War.

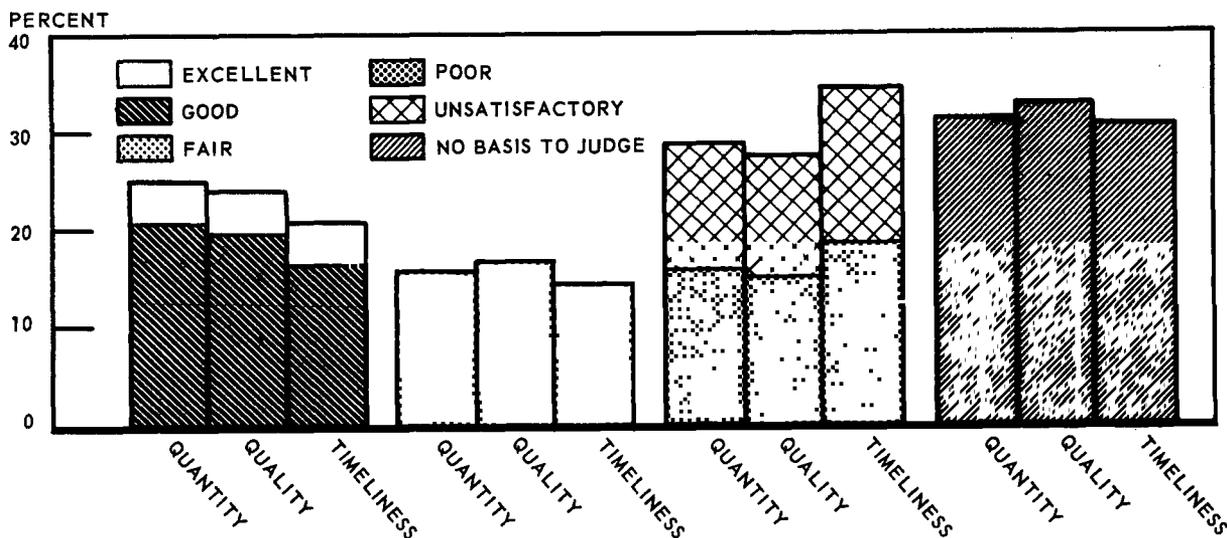
--April 1975 Vietnam Evacuation.

--War in Angola.

We asked them to rate the quality, quantity, and timeliness of the information. As with the question concerning the Mayaguez incident, they tended to rate all three factors alike.

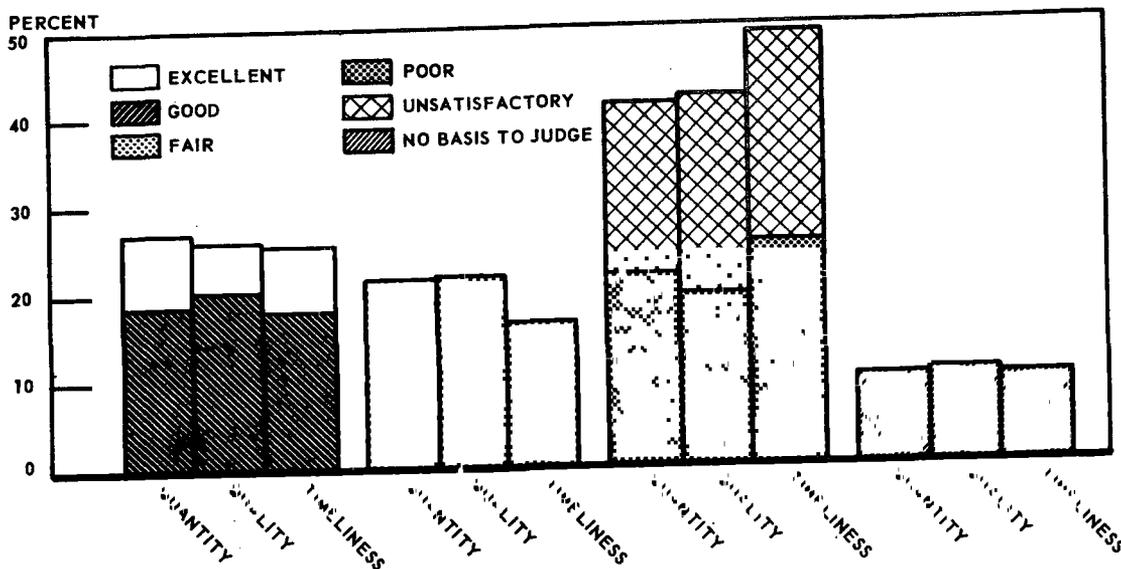
A large portion of the respondents were not in office during the Mideast War, and about 27 percent of the respondents felt they had no basis to judge the information they had received. About one-fourth (24.9 percent) of the respondents rated the quantity of information received during the Mideast War as good or excellent. Slightly more (28.7 percent) rated it poor or unsatisfactory.

MIDEAST WAR INFORMATION



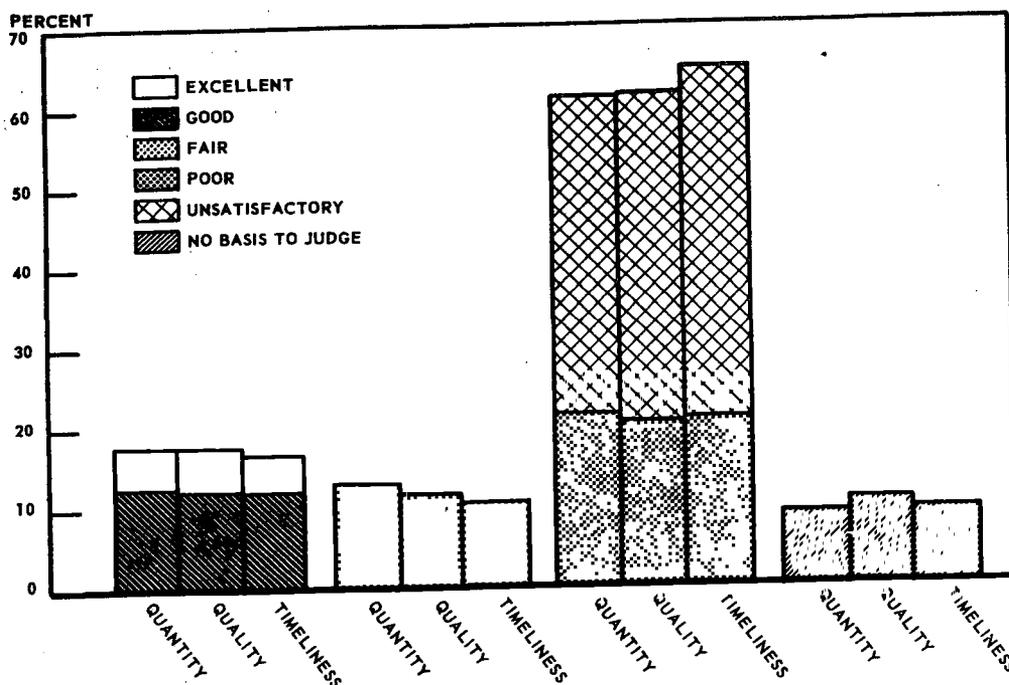
The respondents rated the executive branch information received during the Vietnam evacuation as shown below.

INFORMATION RECEIVED DURING VIETNAM EVACUATION



The information received during the war in Angola was rated less satisfactory by the surveyed members. Over 60 percent rated the information poor or unsatisfactory. Only about 17 percent rated it good or excellent.

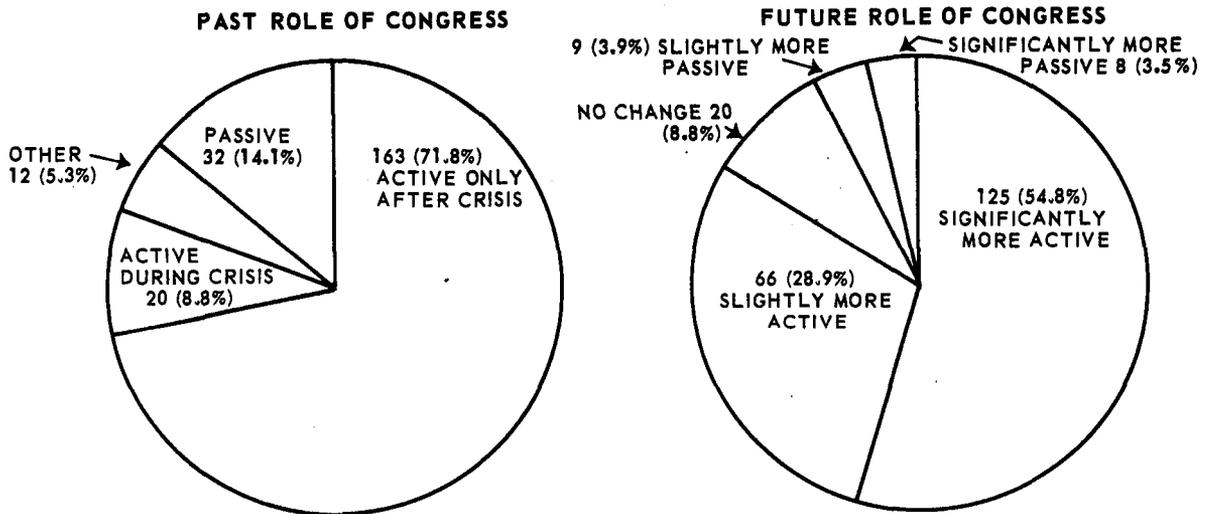
INFORMATION RECEIVED DURING WAR IN ANGOLA



CONGRESSIONAL ROLE DURING INTERNATIONAL INCIDENTS

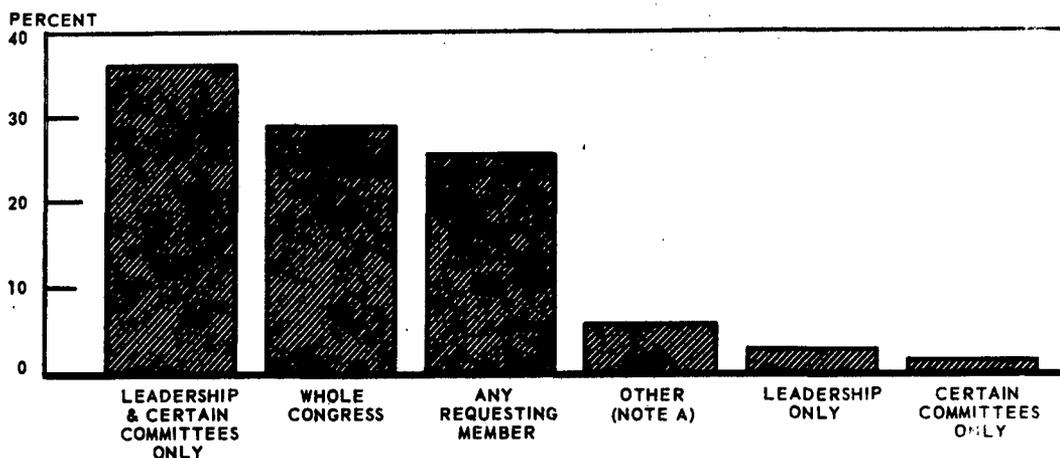
We sought Members' opinions of the Congress' role in international political and military crises. The respondents generally feel that, in the past, the Congress has been active only after the crisis, for example, through hearings or investigations. They also generally believe that, in the future, the Congress should assume a more active role during such times. The following charts describe these two results.

DURING INTERNATIONAL CRISES:



Members were asked who in the Congress they believed should be provided with information during international crises. More than half feel that any requesting Member or the whole Congress should receive such information. A more specific breakdown follows.

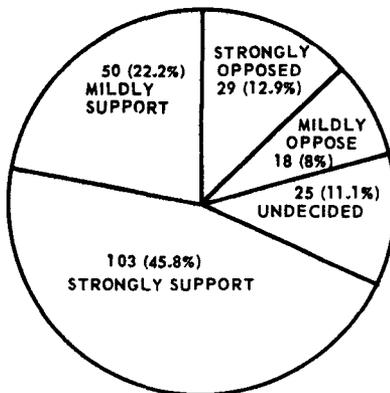
WHAT MEMBERS SHOULD BE INFORMED



a/Eleven of the 13 who responded "other" say that it depends on the nature of the crisis.

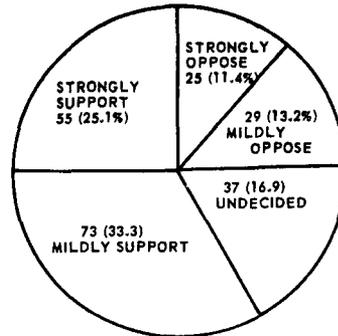
Members' opinions were sought concerning several potential structural changes which could improve executive-legislative branch communications. Most supported a system whereby information concerning a crisis would automatically flow to the Congress; for example, a congressional watch center which would be activated during crises to receive the same information which flows to the various executive branch watch centers. More than two-thirds of the 225 respondents would support this type of information flow system.

INFORMATION FLOW SYSTEM

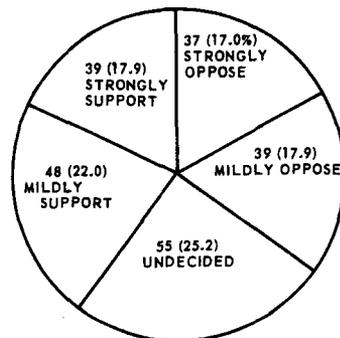


The other potential changes, in order of decreasing support reported by the respondents were:

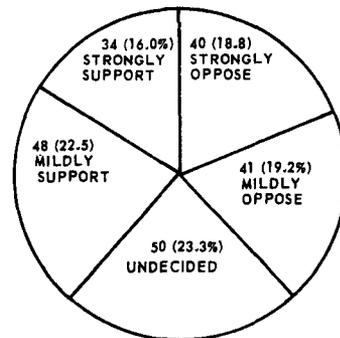
--Requiring senior administration official(s) to observe executive branch deliberations during crises and concurrently provide the Congress with full information on on-going events.



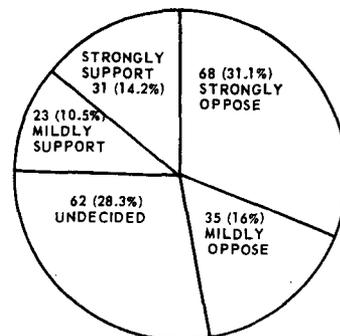
--Granting a small number of Members of Congress observer status on the National Security Council or other crisis management groups.



--Establishing a special congressional committee to serve as a focal point for information during international crises (responding House Members favored this considerably more than the responding Senators).



--Establishing direct participation of Members of Congress in deliberations of the National Security Council or other crisis management groups.

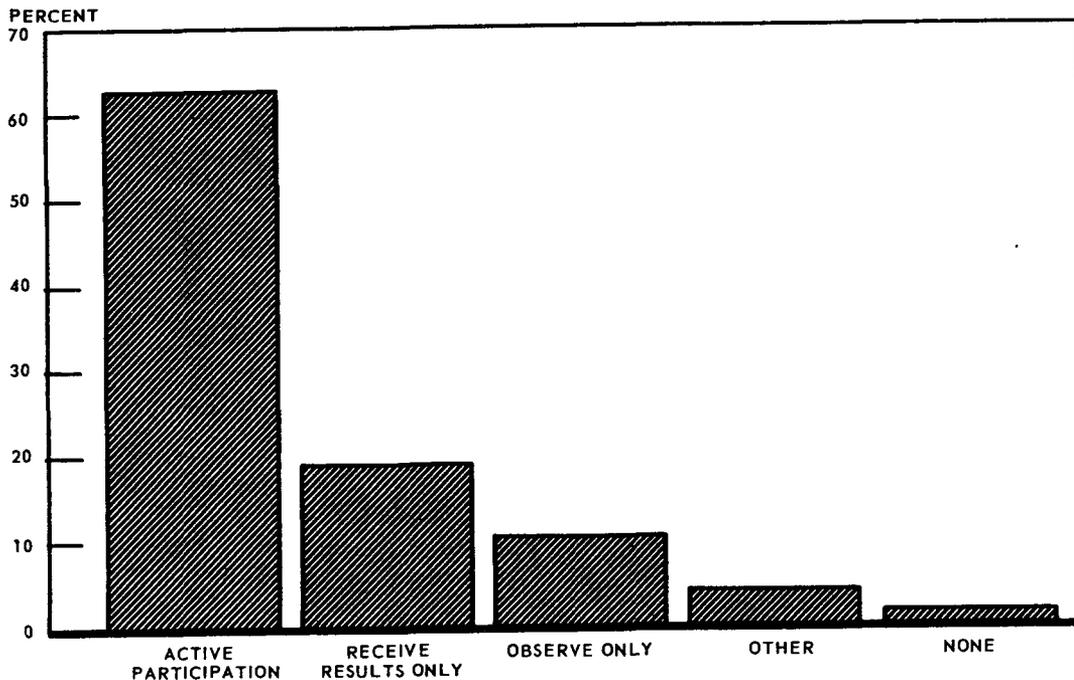


Regarding crises, the Commission on the Organization of the Government for the Conduct of Foreign Policy (Murphy Commission, June 1975) recommended that:

"After a WSAG-level (Washington Special Action Group) crisis, a crisis review group should assess the government's performance, and where appropriate review and reconsider contingency plans. This activity need not engage WSAG members, but should be undertaken under WSAG supervision."

When Members of Congress were asked if they would support the establishment of a crisis review group in the executive branch, 153 (78.5 percent) of the 195 responding to the question answered affirmatively. Of those 153, 96 (62.7 percent) felt that in addition to conducting hearings and/or investigations, the Congress should actively participate in any crisis review group. Twenty-nine of the 153 felt the Congress should only be informed of the results of any crisis reviews, 16 felt the Congress should only act as observers, 2 said membership and knowledge of results of any crisis review group should be internal to the executive branch, 6 had other ideas for the Congress' role in a crisis review group, and 4 failed to respond to this question.

**ROLE OF CONGRESS IN INTERNATIONAL
CRISIS REVIEW GROUP**



In addition to the responses discussed, Members made many additional comments. A few expressed the opinion that the necessary mechanism already exists for closer working relationships between the executive and legislative branches during international crises. One Member said that the Congress should establish its credibility, and many mentioned the issue of leaks. Another Member added, "the actions of the United States are not secret to other nations, only to Congress and the American people."

CHAPTER 4

DIFFERENCE BETWEEN SUBGROUPS

OF THE RESPONDENTS

Respondents to this survey could be partitioned several different ways into subgroups. We examined each of the following partitionings for differences among subgroup responses: Chamber, seniority, region, and party affiliation. Only region and party affiliation showed any significant differences.

As stated earlier the region subgroups were: South, West, North Central, and Northeast. One question where the responses showed considerable variation among regions was that concerning the future role of the Congress during international crises. The role that the Southern Members thought the Congress should play was not as active as the role supported by Members from the West, North Central, and Northeast.

Responses to several questions seemed to be affected by party affiliation.

Proportionally more Republicans than Democrats reported receiving information from the executive branch concerning the Mayaguez incident. The Republican respondents rated the information much higher than did the Democrats. For example, more than 80 percent of the Republicans who received information rated it as good or excellent in terms of comprehensiveness, while less than a third of the Democrats agreed.

Quality (Comprehensiveness) of Executive Branch Information

<u>Rating</u>	<u>Republicans</u>	<u>Percent</u>	<u>Democrats</u>	<u>Percent</u>	<u>Total</u>
Excellent	12	33.3	-		12
Good	17	47.2	15	31.3	32
Fair	7	19.4	13	27.1	20
Poor	-		11	22.9	11
Unsatisfactory	-		9	18.8	9
Total	<u>36</u>		<u>48</u>		<u>84</u>

When asked about the three other incidents, the Mideast War, the Vietnam evacuation, and the war in Angola, the

Republicans again rated their executive branch information higher than did the Democrats.

Consultation with the Congress

A smaller proportion of Republicans than Democrats felt that the Mayaguez incident required congressional consultation.

Consultation Required With the Congress?

	<u>Republicans</u>	<u>Percent</u>	<u>Democrats</u>	<u>Percent</u>	<u>Total</u>
Yes	24	36.9	112	67.5	136
No	<u>41</u>	63.1	<u>54</u>	32.5	<u>95</u>
Total	<u>65</u>		<u>166</u>		<u>231</u>

The Republicans to a greater extent than the Democrats felt that those Members who had been contacted had indeed been consulted. Relatively few Members of either party, however, believed that they had been consulted rather than informed.

Type of Contact Made

	<u>Republicans</u>	<u>Percent</u>	<u>Democrats</u>	<u>Percent</u>	<u>Total</u>
Consulted	8	13.3	4	2.4	12
Informed	28	46.7	110	65.9	138
No basis to judge	23	38.3	52	31.1	75
Other	<u>1</u>	1.7	<u>1</u>	.6	<u>2</u>
Total	<u>60</u>		<u>167</u>		<u>227</u>

The Congress' role during future international crises

On several questions concerning the future role of the Congress during international crises, responses varied with party affiliation. Democrats, for example, were more in favor of

- the Congress assuming a more active role,
- more Members of Congress being provided with information,
- structural changes being made to improve the information flow to the Congress, and

--establishing a crisis review group in the executive branch.

The responses below illustrate the first point, and are similar to the responses on the other three points.

Future Role of the Congress During
International Crises

<u>Role</u>	<u>Republicans</u>	<u>Percent</u>	<u>Democrats</u>	<u>Percent</u>	<u>Total</u>
More passive	11	18.1	6	3.6	17
No change	11	18.0	9	5.4	20
More active	<u>39</u>	63.9	<u>152</u>	91.0	<u>191</u>
Total	<u>61</u>		<u>167</u>		<u>228</u>

CHAPTER 5

CONCLUSIONS AND MATTERS FOR

CONSIDERATION BY THE CONGRESS

CONCLUSIONS

Slightly more than one-third of the Members of Congress responding to the survey reported receiving any information from the executive branch during the Mayaguez incident. Those who did seemed generally satisfied with the information received. Most of them, however, did not consider that they, as Members of Congress, had been consulted by the executive branch but rather, had been informed. In contrast with this is the belief of a large proportion (59 percent) of all respondents that the Mayaguez situation was one that, under the War Powers Resolution, required consultation with the Congress.

We cannot be sure that the responses to this survey are representative of the views of the entire Congress. The respondents consist of a higher proportion of Democrats than are present in the Congress.

The surveyed Democrats appear less satisfied than do the surveyed Republicans with the executive branch information they received and less inclined to think they were actually consulted during the Mayaguez incident. Had the entire Congress participated in the survey, we feel the results would have been somewhat more positive.

MATTERS FOR CONSIDERATION BY THE CONGRESS

Notwithstanding, a large majority of the Members responding seem to believe that the Congress must assume a more assertive role in management of international crises, and that the Congress must find improved ways of securing meaningful, timely information during such crises. Other trends, such as the degree to which commerce--which the Congress has the sole power to regulate--is becoming more central to U.S. foreign affairs, indicate that the Congress may need to prepare itself to play a broader role in foreign affairs management. Therefore the time may be propitious for the Congress to experiment with new kinds of arrangements for cooperating with the executive branch in such management. The Subcommittee on International Political and Military Affairs may want to explore ways of keeping the

Congress informed during crises, such as implementing the congressional watch center proposal or requiring a senior administration official to observe executive branch deliberations during crises and providing the Congress with full information on ongoing matters. Any approach would require the development of satisfactory arrangements for protecting both sensitive and classified executive branch information and arrangements for using and acting upon such information by the Congress.

THOMAS E. MORGAN, PA., CHAIRMAN

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 GARDIS COLLINS, ILL.
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 HELEN S. MEYNER, N.J.
 DON BONKER, WASH.

WILLIAM S. BROOMFIELD, MICH.
 EDWARD J. DERWINSKI, ILL.
 PAUL FINDLEY, ILL.
 JOHN H. BUCHANAN, JR. ALA.
 J. HERBERT BURKE, FLA.
 PIERRE S. DU PONT, DEL.
 CHARLES W. WHALEN, JR., OHIO
 EDWARD G. BIESTER, JR., PA.
 LARRY WINN, JR., KANS.
 BENJAMIN A. GILMAN, N.Y.
 TENNYSON GUYER, OHIO
 ROBERT J. LAGOMARSINO, CALIF.

Congress of the United States
Committee on International Relations
 House of Representatives
 Washington, D.C. 20515

MARIAN A. CZARNECKI
 CHIEF OF STAFF

February 17, 1976

The Honorable
 House of Representatives
 Cannon House Office Building,
 Room 307
 Washington, DC 20515

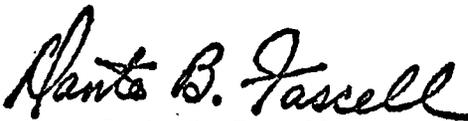
Dear Congressman

Our Subcommittee has been inquiring into the events surrounding the seizure of the Mayaguez and subsequent U.S. efforts to secure the release of the vessel and its crew. The purpose of our inquiry is to review the operations of the Government crisis management system in this incident and to seek possible improvements for responding to future international political and military crises. To get a broader perspective, the Subcommittee would like the benefit of the views of other Members of Congress on (1) executive-legislative communications during crises and (2) the role of Congress in the U.S. crisis management system. We, therefore, are surveying Members for their opinions on these subjects.

We have asked the General Accounting Office to assist us in collecting and tabulating the survey results, which will be included in a final report to be available to all Members of Congress. Individual responses, preferably completed by Members themselves, will be kept in strict confidence by GAO and will not be available to the Subcommittee or its staff.

We thank you in advance for your response to the enclosed brief questionnaire, which we would like to have returned within 5 days. Should you have any questions, Messrs. John Watson and Walter Ochinko at GAO (telephone number 275-5857) will be glad to answer them.

Sincerely,



Dante B. Fascell
 Chairman

Subcommittee on International
 Political and Military Affairs



Larry Winn, Jr.
 Ranking Minority Member

BEST DOCUMENT AVAILABLE

U.S. CONGRESS
 SUBCOMMITTEE ON INTERNATIONAL POLITICAL AND MILITARY AFFAIRS
 HOUSE COMMITTEE ON INTERNATIONAL RELATIONS

**EXECUTIVE-LEGISLATIVE COMMUNICATIONS AND
 THE ROLE OF CONGRESS IN INTERNATIONAL CRISES**

Instructions

Please answer each of the following questions as frankly and completely as possible. We are interested in your views whether or not you consider yourself expert in this area. Rather than requiring any research on your part, our intent is to seek your spontaneous responses.

I. THE MAYAGUEZ INCIDENT, MAY 12-15, 1975

1. During the Mayaguez incident, from which of the following sources did you receive information concerning ongoing events?
 (Please check all that apply.)

- Public news sources
- My staff
- Other Members of Congress
- Participation in committee hearings
- Direct contact with executive branch officials
- Other (Please specify) _____

2. What was your principal source of information?
 (Please check one.)

- Public news sources
- My staff
- Other Members of Congress
- Participation in committee hearings
- Direct contact with executive branch officials
- Other (Please specify) _____

3. If you received information from executive branch officials, with what department(s) or office(s) were they associated?
 (Please check all that apply.)

- No information was received from executive branch officials – IF YOU CHECKED THIS BOX, SKIP TO QUESTION NUMBER 6.
- The White House
- Department of State
- Department of Defense
- Other (Please specify) _____

4. Who, primarily, initiated the executive branch contact(s) from which you gained information during the Mayaguez incident?
 (Please check one.)

- I or my staff members
- Committees on which I serve
- Other Members of Congress
- Executive branch officials
- Other (Please specify) _____

5. How would you rate the quantity, quality, and timeliness of the information you received from the executive branch during the Mayaguez incident? (Please check one box for each dimension.)

	Excellent	Good	Fair (O.K.)	Poor	Unsatisfactory
1. Quantity (Comprehensiveness of information)	<input type="checkbox"/>				
2. Quality (Accuracy of information)	<input type="checkbox"/>				
3. Timeliness	<input type="checkbox"/>				

6. Section 3 of the War Powers Resolution states, "The President in every possible instance shall consult with Congress before committing U.S. Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances...." Do you believe that the Mayaguez seizure was a situation that required consultation with Congress under this Resolution? (Please check one and feel free to comment.)

- Yes
- No

Comments: _____

7. Do you believe that those Members of Congress who were contacted during the incident were "consulted" or merely "informed"? (Please check one and feel free to comment.)

- Consulted
- Informed
- No basis to judge
- Other (Please specify) _____

Comments _____

II. EXECUTIVE-LEGISLATIVE COMMUNICATIONS AND THE ROLE OF CONGRESS DURING CRISES

8. Rate, from excellent to unsatisfactory, the executive branch information you have received during the following incidents. (Please check one for each dimension.)

	<i>Excellent</i>	<i>Good</i>	<i>Fair (O.K.)</i>	<i>Poor</i>	<i>Unsatisfactory</i>	<i>No basis to judge</i>
a. October 1973 Mideast War						
1. Quantity	<input type="checkbox"/>					
2. Quality	<input type="checkbox"/>					
3. Timeliness	<input type="checkbox"/>					
b. Vietnam Evacuation - April 1975						
1. Quantity	<input type="checkbox"/>					
2. Quality	<input type="checkbox"/>					
3. Timeliness	<input type="checkbox"/>					
c. War in Angola						
1. Quantity	<input type="checkbox"/>					
2. Quality	<input type="checkbox"/>					
3. Timeliness.....	<input type="checkbox"/>					

9. In general, how would you characterize the primary role of Congress with respect to past international political and military crises? (Please check one.)

Active at the time of the crisis
 Active only after the crisis, e.g., hearings or investigations
 Passive
 Other (Please specify) _____

10. Do you believe that Congress should assume a more active or passive role during international crises? (Please check one.)

Significantly more passive
 Slightly more passive
 No change
 Slightly more active
 Significantly more active

11. Who in Congress do you believe should be provided with information during international crises? (Please check one.)

No one
 The leadership only
 Certain committees only
 The leadership and certain committees
 Any Member of Congress who requests it
 The whole Congress
 Other (Please specify) _____

12. Do you believe that structural changes designed to improve the information flow to Congress during international crises would be desirable? (Please check one.)

Yes
 No

13. Which of the following potential structural changes would you support or oppose? (Please check one box for each potential change and feel free to modify or elaborate on any alternative or propose others in the comments section below.)

	<i>Strongly oppose</i>	<i>Mildly oppose</i>	<i>Undecided</i>	<i>Mildly support</i>	<i>Strongly support</i>
a. A system whereby information concerning a crisis would automatically flow to the Congress. (For example, a congressional "watch center" which would be activated during crises to receive the same information which flows to the various executive branch watch centers.)	<input type="checkbox"/>				
b. Establishing a special congressional committee to serve as a focal point for information during international crises.	<input type="checkbox"/>				
c. Requiring a senior administration official (or officials) to observe executive branch deliberations during crises and concurrently to provide the Congress with full information on on-going events.	<input type="checkbox"/>				
d. Granting (a small number of) Members of Congress observer status on the National Security Council or other crises management groups.	<input type="checkbox"/>				
e. Establishing direct participation of Members of Congress in deliberations of the National Security Council or other crisis management groups.	<input type="checkbox"/>				

f. Comments:

14. Regarding crises, the Commission on the Organization of the Government for the Conduct of Foreign Policy (Murphy Commission - June 1975) recommended that:

"After a WSAG-level (Washington Special Action Group) crisis, a crisis review group should assess the government's performance and, where appropriate, review and reconsider contingency plans.

This activity need not engage WSAG members, but should be undertaken under WSAG supervision."

- Yes
- No

Comments: _____

Would you favor the establishment of a crisis review group in the executive branch? (Please check one and feel free to comment.)

15. In addition to conducting hearings and/or investigations, what role, if any, do you believe Congress should play in an international crisis review group? (Please check one.)

- Congress should actively participate in any crisis review group
- Congress should only act as observers
- Congress should only be informed of the results of any crisis reviews
- None of the above - membership and knowledge of results of crisis review groups should be internal to the executive branch
- Other (Please specify) _____

III. ADDITIONAL COMMENTS

If you have additional comments on any of the questions or related points or topics not covered, please write your comments in the space below. Your views are greatly appreciated. Thank you.