

**NOMINATION OF L. BRITT SNIDER TO
BE INSPECTOR GENERAL, CENTRAL
INTELLIGENCE AGENCY**

HEARINGS

BEFORE THE

**SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES SENATE**

ONE HUNDRED FIFTH CONGRESS

SECOND SESSION

**NOMINATION OF L. BRITT SNIDER TO BE INSPECTOR GENERAL OF THE
CENTRAL INTELLIGENCE AGENCY**

WEDNESDAY, JULY 8, 1998 AND TUESDAY, JULY 14, 1998



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NOMINATION OF L. BRITT SNIDER TO BE INSPECTOR GENERAL, CENTRAL INTELLIGENCE AGENCY

WEDNESDAY, JULY 8, 1998

U.S. SENATE,
SENATE SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC.

The Committee met, pursuant to notice, at 2:30 p.m., in Room SH-216, Hart Senate Office Building, the Honorable Richard C. Shelby, Chairman of the Committee, presiding.

Committee Members Present: Senators Shelby, Chafee, Allard, Kerrey, Bryan, Graham, Glenn, and Robb.

Chairman SHELBY. The Committee will come to order. The Committee meets today to consider the nomination of Mr. Britt Snider to be the next Inspector General of the Central Intelligence Agency.

The CIA IG is a position of significant importance to the oversight of the CIA. Although the CIA IG serves under the supervision of the Director of Central Intelligence, he's named by the President and can only be removed by the President. This unique structure is intended to give the CIA Inspector General a level of independence that is critical to his statutory mission of uncovering fraud, waste, and abuse within the CIA.

The Inspector General fulfills this oversight responsibility by conducting inspections, investigations, and audits covering all aspects of CIA operations and programs. The CIA Inspector General is also extremely important to this Committee. The statute creating the position of CIA Inspector General requires that the Inspector General keep the Congressional oversight committees fully informed of its activities, findings, and recommendations. In addition, the CIA Inspector General must immediately report serious or flagrant problems within the CIA to the oversight committees. This relationship between the Inspector General and Congress enhances congressional oversight while also strengthening the Inspector General's accountability and independence.

The position of a statutory CIA Inspector General was created in the wake of the Iran-Contra affair, when this Committee recognized the need for greater autonomy and authority than that exercised by previous administrative inspectors general of the Central Intelligence Agency. The position was made statutory to boost the CIA's Inspector General's ability to ensure that the CIA was upholding applicable laws and regulations, and that CIA programs and operations were run efficiently, effectively, and with appropriate accountability.

This Committee has the special responsibility to carefully review the qualifications of all nominees for senior positions within the intelligence community. In the case of the CIA Inspector General position, the Committee must ensure that the President's nominee will effectively and efficiently carry out the Inspector General's statutory duties.

I believe that such an individual must meet the following criteria. First, he or she must be independent of any external or internal pressures. Second, he or she must be devoted to the aggressive pursuit of any and all allegations of violations of law, policies or procedures within the Agency. This is, after all, the primary function of the IG as established in the statute. And, third, he or she must be free from any financial conflicts of interest that could hinder the performance of his or her statutory obligations to root out waste, fraud or abuse in the Agency. This last point is the one I have stressed repeatedly with the DCI and the Deputy DCI.

Mr. Fred Hitz was nominated by the President and confirmed by the Senate in 1990 as the first CIA statutory Inspector General. Mr. Hitz retired from the Agency early this year after an impressive and eventful seven-year tenure. Among his many accomplishments, Mr. Hitz conducted an extensive investigation of the Aldrich Ames espionage case that provided a tough but fair assessment of this unprecedented intelligence failure. Mr. Hitz also oversaw a significant expansion and professionalization of the CIA's Inspector General's office. I know I speak for the members of the Committee when I say we applaud Mr. Hitz for his considerable contributions to intelligence oversight. Clearly, Mr. Hitz met the criteria that I've described above.

Mr. Snider has been nominated by the President to replace Mr. Hitz and become the second statutory CIA Inspector General. Mr. Snider currently serves as special counsel to the DCI. He was the staff director of the Commission on the Roles and Capabilities of the U.S. Intelligence Community from 1995 to 1996, and from 1989 to 1995 was general counsel to this Committee, serving under Chairmen Boren and DeConcini. In previous years, Mr. Snider was counsel to the Church Committee, was Assistant Deputy Under Secretary of Defense for Counterintelligence and Security.

Mr. Snider, we welcome you, your wife Ginger, sister Kay, and son Britt. We look forward to your testimony and to having an opportunity to question you regarding your experience, your independence, and plans for leading the CIA Office of Inspector General. The Committee also extends a warm welcome to our current and former distinguished colleagues—Senators John Warner and John Glenn and Warren Rudman.

Who wants to proceed? Senator Warner.

STATEMENT OF THE HONORABLE JOHN WARNER, U.S. SENATOR
FROM VIRGINIA

Senator WARNER. Mr. Chairman, when members of the Senate are asked to participate in a confirmation proceeding, it should be and is, certainly by this Senator, taken as a note of honor. And I've often thought the best way you can repay the honor bestowed on you to speak on behalf of another is to be brief, and particularly in a case where the facts are so compelling as this one.

I've never seen a better qualified individual for this position, although I want to say that I was a strong supporter of Hitz and he did a fine job. But this man is equal in every respect and I'm sure that he will carry on that tradition.

There's an old phrase, "how lucky can we be?" How lucky can the citizens of this country be that this fine man, whose background qualifies him to go into the private sector at triple the salary that will be offered in the position of Inspector General, will serve his country.

The Chair very carefully, and the members of the Committee have summarized his distinguished career, but I remember the Ames case. I was Vice Chairman of this Committee at that time. And this extraordinary individual served as counsel for both the majority and the minority, displaying clearly his ability to be non-political, nonpartisan, and always put the interests of the country and the Senate first. I need say no more. How lucky can we be?

I thank the Chair.

Chairman SHELBY. Senator Glenn.

STATEMENT OF THE HONORABLE JOHN GLENN, U.S. SENATOR FROM OHIO

Senator GLENN. Thank you, Mr. Chairman.

It's also a pleasure for me to be here to introduce Britt Snider as the nominee to succeed Fred Hitz as the CIA Inspector General. You already welcomed his wife Ginger and sister Kay and son Britt, who are behind us here. Britt I understand recently graduated from Amherst; is that correct? Well, congratulations to him also, a recent graduate.

I'm familiar firsthand with Britt's superb abilities and believe he's uniquely qualified for this important position. I really take a lot of satisfaction in concluding at least part of my nine-year tenure on the Senate Select Committee on Intelligence by supporting Britt for this job, particularly since one of my proudest accomplishments on the Committee was having played a role in the creation of the statutory IG at the CIA. Indeed, the creation of the statutory office of IG is one of the most significant oversight accomplishments, I believe, of this Committee.

The CIA IG office has done a great deal to enhance the efficiency and accountability of the Central Intelligence Agency since its inception eight years ago. Britt played a significant role in the creation of the statutory CIA IG position, because he was the principal drafter of the legislation that was ultimately signed into law by President Bush. Indeed, it was during the battle to enact this legislation that I got to know Britt well, and developed the very, very highest respect and admiration for him.

You mentioned Britt's background, Mr. Chairman. He does come to this job with a wealth of background and experience. In his eight years on the Committee staff Britt distinguished himself through his integrity, his knowledge, dedication, hard work, professionalism and commitment to intelligence oversight. And he consistently addressed intelligence oversight issues fairly and objectively and in the best nonpartisan tradition of the Committee. Indeed, Britt was one of the most respected and best-liked individuals to serve on the Committee staff.

Britt's national security experience in the U.S. government is lengthy and impressive also. He served in the U.S. Army in Vietnam. He served as counsel to the Senate Committee on the Judiciary, counsel to the Senate's Church Committee, which was the predecessor committee to the SSCI, and chief counsel to the House Government Operations Committee's Subcommittee on Government Information. After that, Britt went on to serve for ten years as the Assistant Deputy Under Secretary of Defense for Policy, for Counterintelligence and Security. And from this position Britt went on to serve as the minority counsel to the SSCI then-vice chairman, and now Secretary of Defense, Bill Cohen. In this capacity, Britt served as Senator Cohen's staff liaison with the Iran-Contra Committee. Britt so distinguished himself as this Committee's minority counsel that he was appointed general counsel to the SSCI, a position he held from 1989 to 1995.

As the legal advisor to the Committee, Britt was the principal drafter of the annual authorization bills for intelligence reported by the Committee, as well as the CIA IG Act of 1990, the Intelligence Oversight Act of 1991, setting forth requirements for the approval and reporting of covert actions, the Intelligence Reorganization Act of 1991 setting forth the roles and authorities of the Director of Central Intelligence, and the Counterintelligence Improvements Act of 1994, among other things amending the Foreign Intelligence Surveillance Act to cover physical searches conducted for intelligence purposes.

As general counsel, Britt was also responsible for all nominations referred to the Committee and directed oversight investigations undertaken by the Committee.

Now that's an impressive array of accomplishments and responsibilities, all the more so when you realize that during most of the six-year period that Britt was with the SSCI as general counsel he was the only practicing attorney on the staff.

After leaving the Committee, Britt went on to serve as staff director of the Aspin-Brown Commission on the Roles and Capabilities of the U.S. Intelligence Community, which reviewed the organization and mission of the U.S. intelligence community.

Mr. Chairman, the position of CIA IG is one of the most thankless jobs at the CIA, but it's also one of the very most important. That's the reason we fought to get that IG position established to begin with. And I am convinced that Britt Snider will be an extraordinary asset to the CIA, Congress and the nation as the CIA's Inspector General. As John Warner said, I think we're fortunate to have such a fine candidate for this important job.

I know, Mr. Chairman, this is a rather lengthy opening statement, but I wanted to get all that in because I think it points out Britt's supreme qualifications for this job, and I'm just happy to be here and be able to introduce him today. Thank you.

Chairman SHELBY. Senator Rudman, we welcome you back to the Senate.

STATEMENT OF THE HONORABLE WARREN RUDMAN, CHAIRMAN,
PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD

Senator RUDMAN. Thank you, Mr. Chairman, and my former colleagues, Senator Bryan and Senator Graham. It's a pleasure to be here in this room in which I spent so much time.

I come at it a little differently. As my two former colleagues, I've had a relationship, but a different relationship. Senator Glenn referred to the Aspin-Brown Commission. As you all know, I started on that Commission as Vice Chairman, also serving at that time as Vice Chairman of the President's Foreign Intelligence Advisory Board. We also know that shortly after that started with Senator Warner's legislation we had the tragic death of Les Aspin. I found myself as acting chairman at the request of the President for a period of almost seven months until Harold Brown came in towards the end to assume the mantle of leadership.

During that time, I worked on a virtually daily basis with Britt Snider. It became essential that I did that because we had a very diverse group appointed by the President and leadership of the Congress, and that was the intent of Senator Warner and all of you who drafted the legislation. I must tell you that I have worked with a lot of staff, as we all have up here, but there were three things about Britt that I found, that I thought about this past weekend, knowing I was coming up here today, and how would I put this in very concise words. And I'll tell you the three words that I came up with.

Number one, absolute integrity; number two, very precise; and, three, extraordinarily fair. When you're dealing with the kind of diversity we dealt with on the Commission, it was essential to have someone like that. And if you've read that report—and I'm sure most of you have read either part of it or the Executive Summary—it is a great example of very precise writing addressing some very difficult issues. Britt essentially wrote that, with the help of other staff. That was his product.

And we are delighted on that Commission, as I'm sure Senator Warner is, that in fact most of the recommendations were adopted by the administration and by the two committees. So I want to make that observation.

Obviously, I served with him while I was a member of this Committee and found those same qualities there. And currently, as the Chairman of the President's Foreign Intelligence Advisory Board, I have extensive dealings with the Agency and I have found Britt to be precisely as he always was.

I want to recommend one thing to all of you, and that is a very fascinating piece written by the nominee in the spring issue of "Studies in Intelligence," published by the CIA, which I'm sure you have here in the Committee. What he wrote is not nearly as important as what he chose to write about. The title of his article is "Sharing Secrets with Lawmakers." It is an incredible history of something that was unheard of twenty years ago—and that was the sharing of intelligence with Members of the Congress to enable Members of Congress to make decisions on how they might vote on particular issues. One that comes to mind would be MFN, where certain intelligence that was held at the time was extraordinarily

important to Members. But back a number of administrations ago it was unheard of that intelligence would be shared with these committees. Britt not only chose to write about it, but gives a historical analysis of it that is really remarkable. I read it this weekend. I thought I'd better if I was going to talk about it. And I recommend it to you.

Finally, I want to say just one last thing. I'm sure this has not been lost on too many people, but it certainly makes a deep impression on me. If you think back to the battle between the Congress and the intelligence community going back to the days of the Church Committee and some other legendary battles that have been waged—and some of you were there in this very room in the last few years—it strikes me as remarkable that, if confirmed, the top leadership of the Central Intelligence Agency will be in the hands of people who learned their trade in the main right here. That is a remarkable tribute to the Committee, to the Congress and, I must say, to the President.

We now have a Director who was a staff director of this Committee and we hopefully will have an IG who learned much of what he knows while serving on this Committee. I think that says a lot about progress, it says a lot about Britt Snider.

Thank you, Mr. Chairman.

Chairman SHELBY. Thank you, Senator. Thank all of you for being here on his behalf.

Senator WARNER. He's on his own now.

Chairman SHELBY. Senator Graham, do you have an opening statement?

Senator GRAHAM. Yes. Mr. Chairman, first I want to thank our three colleagues for their outstanding presentation and their personal experience with the nominee and their recommendation of our support for this confirmation. Thank you very much.

I would like to make only three comments in regard to Britt Snider. First, this is not a person who comes before us as a matter of initial impression. We all have had an opportunity to work closely with him. We know of his intellectual and personal strengths and can therefore assess what we have just heard. He is singular in his preparation to serve as the CIA's Inspector General.

Second, I understand that some of my colleagues have expressed concerns about possible conflicts of interest, owing to Britt's modest investments. At the same time, these colleagues oppose any type of screening arrangement whereby Britt could recuse himself when matters touching upon those modest investments might come before him as Inspector General. In this regard, I understand that the Committee has received official notification from the CIA ethics official noting the de minimus nature of Britt's holding and waiving any potential conflict. This ruling clearly obviates the need for screening arrangements of any kind. I would hope that this satisfies the concerns of those who are troubled by such arrangements. Moreover, if this Committee intends to establish a new criteria for nominees above and beyond existing law, in this case that we do not expect screening arrangements of any kind, I believe that Committee members should have an opportunity to vote on any such change.

Third, the position of CIA Inspector General has been vacant since April of this year. This is a critical position, in many ways the internal eyes and ears of the Committee insofar as activities of the CIA are concerned. As we know from our own position as the external eyes and ears, the CIA occupies a unique position in our democracy. It is an institution which, by the nature of its mission, must conduct much of its activities outside of the scrutiny that normally is applied to governmental agencies, and thus having the most effective both internal and external eyes and ears is critical to public confidence in the CIA, and it is critical that those eyes and ears be in place on a consistent basis.

Thus, there is a sense of urgency to move forward with the confirmation of this nominee. We need to fill this position as soon as possible. We have an eminently-qualified candidate before us. I urge that we schedule a vote on Mr. Snider's nomination at the earliest possible date.

Chairman SHELBY. Senator Bryan, do you have any statement?

Senator BRYAN. Thank you very much, Mr. Chairman. Let me thank you for holding this confirmation hearing, and I would make a couple of points, if I may.

I agree with your observation that this Committee and the nation has been well served by Mr. Hitz, an impressive performance, expressing himself with clarity that was extraordinarily helpful to this Committee during the Aldrich Ames tragedy and other matters in which he had occasion to voice his opinion and to share his thoughts with us.

We have a candidate here that, in my judgment, is equally impressive. The sponsors who have spoken in his behalf this afternoon represent a broad range of experience within this institution, having had years of experience and they know the kind of person that we need to serve in this position, and they, as I, am persuaded that Mr. Snider is an appropriate choice. I would hope, Mr. Chairman, that we might be able to act upon this expeditiously.

I think a comment that Senator Warner made I would like to expand upon briefly. We are very fortunate in this country that there are people who have extraordinary talents, as does Mr. Snider, who choose to pursue public service. It is a tradition in this country. It is a great honor for us to have people of this stature come before us. While we have an obligation to carefully review the qualifications for any such nominee—that is our constitutional responsibility—I'm not unmindful of the fact that in recent years—and I make the comment very generally, Mr. Chairman—we have had people of extraordinary qualification wait month after month after month in the confirmation process, both in this Congress and in previous Congresses—and I'm talking generally.

I think we have to be mindful of the fact that these nominees have family responsibilities. His family is here today. They have obviously personal responsibilities, financial as well. So I would hope that, based upon the very impressive resume he brings to us, the kind of broad bipartisan support that he has, as evidenced by those who have testified today, his own preeminent qualifications, that we might act upon this, as my colleague Senator Graham has indicated, as expeditiously as possible so that this important position may be filled and be filled by Mr. Snider.

Thank you very much, Mr. Chairman.

Chairman SHELBY. Senator Allard, do you have any statement?

Senator ALLARD. Mr. Chairman, I just have a brief statement that I want to make. I don't have anything that I want to submit in writing. I just want to thank you for moving ahead with these hearings. I do appreciate that. I personally met with Mr. Snider. I think that he's the man for the job. He has a wealth of experience that he does bring to the position. Certainly he ought to understand the position if he helped draft the statutes and everything that helped set up the Inspector General for the CIA.

I'm anxious to get somebody in that position because I think the role of the Inspector General is extremely important in understanding what is happening under those agencies that are under the oversight of this particular committee. He's assured me that he's willing to work with the Committee. He's willing to work with you, Mr. Chairman and members of this Committee, to make sure that we have accountability and the intent of Congress is followed through, and that we have people within the CIA that are complying with the law.

So I'm looking forward to moving ahead with this confirmation. Thank you, Mr. Chairman.

Chairman SHELBY. Mr. Snider, your written testimony will be made part of the record in its entirety. You proceed as you wish. Welcome to the Committee.

STATEMENT OF L. BRITT SNIDER, INSPECTOR GENERAL-DESIGNATE,
CENTRAL INTELLIGENCE AGENCY

Mr. SNIDER. Thank you, Mr. Chairman. If you'll permit me, I'd like to just proceed with my prepared statement.

Chairman SHELBY. Go ahead.

Mr. SNIDER. I would like, though, to begin by thanking Senator Glenn, Senator Warner, former Senator Rudman for coming here today and taking the time to present me to the Committee. It was a privilege for me to have worked with them, each of them, for a period of time. I have the greatest admiration and respect for them, and it's certainly personally very gratifying to me to have them spend the time to do this this afternoon.

Mr. Chairman, Mr. Vice Chairman, Members of the Committee, I am honored to have been nominated by the President to be the Inspector General of the CIA and to appear before this Committee, where I spent almost nine very enjoyable, satisfying years. In fact, during my tenure here, as Senator Glenn alluded to, I had an instrumental role in drafting the statute which established the office to which I've now been nominated. It never crossed my mind then that I'd be sitting here now.

I have no illusions about this job. It's a tough one, one of the toughest in government, and I can tell you from participating in its creation that it was intended to be that way. The Inspector General is the only subordinate official at the CIA who has statutory responsibilities that run both to the Congress—

Chairman SHELBY. Mr. Snider, could you suspend for a minute? We need to swear you in.

Do you solemnly swear that the testimony you are going to give here is the truth and the whole truth and nothing but the truth, so help you God?

Mr. SNIDER. I do.

Chairman SHELBY. Go ahead. Thank you.

Mr. Snider. Well, let me proceed. While the IG works under the general supervision of the DCI, he has wide-ranging authority to undertake investigations, audits, and inspections on his own initiative without direction from the DCI. Indeed, he must report to Congress any instance in which a DCI attempts to circumscribe his authority.

At the same time, the IG cannot successfully carry out his or her role without the support of the DCI. After all, the IG can only recommend. He has no authority over CIA personnel other than those who work for him, and no authority over CIA policies or programs. Whatever influence he has over the operations of the Agency comes from his ability to discover and illuminate, to analyze and persuade. And he'll be successful at this only if he is—and is seen as being—thorough, accurate, objective, and fair. His recommendations must be supported by the facts and fit the circumstances. His logic must be irresistible.

The IG is necessarily part of the organization he oversees, and yet stands apart from it. His office is one of the most important tools of management, and yet his work inevitably brings him into conflict with management. In these circumstances, he must be able to hold his ground, and yet retain an ability to work with management to accomplish his recommendations. It's a job that calls for chutzpah and it's a job that calls for tact—part pit bull, part cocker spaniel. That's not a combination you often find in dogs, nor is it a combination you often find in people. Indeed, given the contradictions inherent in the job, one might well wonder what motivates someone to want it.

For me, it boils down to several things. I'm 53 years old. I retired from the government three years ago after spending 24 years, split almost evenly between the Executive and Legislative branches. For most of this time I worked in intelligence. After leaving government, I did some writing and teaching, but found that I missed the work I used to do. I believe I still have a contribution to make, and, as perverse as it seems to some of my friends, the challenges inherent in the IG job are what attract me to it. It's a job that's important to be done well—for the sake of the Agency and for the sake of the Congress and American public.

As we all appreciate, the CIA is a unique organization among federal agencies. It has authorities that other agencies do not have. It has capabilities that other agencies do not have. Its activities are far-flung and depend upon sound judgments being made in the field and at headquarters. What it does or fails to do can put lives in jeopardy. What it does or fails to do can cause problems with other governments and create embarrassment for the country. And while its capabilities are formidable, there's a certain fragility to them. Ongoing operations are easily compromised. And any intelligence agency that cannot protect its operations will not be an intelligence agency for very long.

It's essential, George Washington once wrote, that intelligence activities be carried out in secrecy. And the overseers of those activities—whether they be IGs or congressional committees—have to carry out their duties in a way that does not compromise the very activities they're charged with overseeing.

At the same time, IGs have a duty, I believe, to say publicly what they can, within these constraints, about their oversight activities. Americans have a right to expect their intelligence services are acting in support of, and in a manner consistent with, the foreign policy and defense interests of the country, as well as in accordance with its laws and treaty obligations. Inspectors General provide part of that assurance. Indeed, Americans have a right to expect an effective and credible oversight mechanism within the CIA itself which will take a hard look at what's going on—and at what has gone on in the past—and provide an honest, objective assessment of the Agency's performance—to the Director, to the Congress, and, where possible, to the public itself.

Having read much of the IG's work over the last seven years—first when I was here and more recently when I've been out at the Agency—I believe the CIA IG has been doing just that.

But the job of the IG goes beyond providing assurance that the Agency is operating on the straight and narrow. In my view, the IG should be a force for change. Indeed, it's this notion in particular that draws me to the job. I've worked with the CIA now for almost 23 years from a variety of positions in government, although until recently I've never been a part of it. And while the Agency has changed enormously during this time, a great deal remains to be done, in my view, to meet the needs of the post-cold war era.

And for the first time since the end of the cold war, the Agency has relative stability at the top—stability which I believe represents an opportunity for thoughtful, significant change that the Agency has not had in a while. I'd like to think as IG I'd be in a position to help move the Agency where it needs to go.

Now I know from talking with some of you that it may be a concern that I happen to be a friend of the Director's, and whether as IG I'd be able to maintain the necessary independence. To those of you who might have this concern, I want to say a few things.

To begin with, whether the IG is able to maintain his or her independence from the DCI does not hinge upon personalities. The law provides for it. The IG is appointed by the President and can only be removed by the President. He has statutory obligations that are his alone, quite independent of the DCI's responsibilities, and quite independent of the IG's personal relationship with the Director. Ask anyone at the CIA—the IG runs his own show.

When the DCI first spoke to me about this job, I told him that, if I agreed to take it on, my allegiance would be to the law—to satisfying the statutory responsibilities of the office—and I would follow the facts wherever they might lead. If that meant taking issue with the decisions he'd made as Director, so be it. If that meant taking him to task for what I thought he'd failed to do, so be it. I'd call it like I see it and pull no punches. The Director responded to me that he would expect nothing less.

That answer didn't surprise me. It's how he expects the IG to act—whether it's me or someone else. Indeed, any IG who doesn't approach his responsibilities this way quickly loses the moral high ground, it seems to me, marginalizing himself and his office in the process. I didn't agree to take this job to see the independence and authority of the CIA IG—so hard won over the last eight years—in any way weakened or diminished, nor did the DCI have this in mind when he asked if I were interested in the job.

Yes, we're friends, but our relationship is now and always has been a function of our respective professional responsibilities and it will continue to be so if I'm confirmed as Inspector General.

Finally, as I said earlier, having the support of the DCI is crucial to the success of the IG's office. If it's lacking, the IG is going to have a much tougher row to hoe. So, rather than seeing my relationship with the Director as a negative, I happen to see it as a plus. I would expect to have his support for what I'm doing as IG and that should allow us to accomplish things we might not otherwise be able to do.

In fact, I see the IG's office as playing a broader, more integral role in the Agency's affairs than it's played to date. While the IG is obliged to investigate alleged wrongdoing and ensure the Agency is in compliance with applicable laws and regulations, the IG ought also to look at how the Agency is organized, how it's functioning, and what results are being achieved. He ought to be pointing out where the problems are. He ought to be someone the DCI can turn to as a source of information and objective analysis.

My own feeling is the IG's office at CIA has been underutilized in this regard, perhaps because its resources have so frequently been consumed during the last seven years by wide-ranging, large-scale investigations such as those undertaken in connection with the Ames case, the Tamraz case, and the contra-cocaine allegations.

The reality, though, is that the IG's office offers a unique resource to the DCI—any DCI. It's one of the few offices at CIA, apart from the Director's office itself, which has the run of the place—an office which can and does look at the entire operation. It gains a useful perspective doing that, one which can and should be brought to bear on the decisions confronting the Agency's managers. I'd like to make the IG's office into that kind of resource for the DCI.

Whoever is appointed and confirmed as the next IG at CIA will find an outfit that's up and running. It has a very capable staff with the skills needed to do the job right. It's also developed policies, procedures, and working relationships over the last eight years which stand it in good stead internally and externally. It's a professional operation in every respect. And for this, Mr. Chairman, it's largely Fred Hitz we have to thank. Fred did not inherit this kind of organization when he was appointed; he built it. It wasn't easy, but he persevered through five DCIs and a seemingly endless stream of difficult and controversial cases. I think we all owe him a debt of gratitude.

Finally, Mr. Chairman, let me simply say that, should I be confirmed, I look forward to working closely with this Committee—in fact, with both of the oversight committees—to make the CIA a

more efficient and effective organization. And, while I regard my relationship with you ultimately as a collaborative one, I expect to be held accountable for what I do and what I fail to do, like any other part of the Agency. Inspectors General should be judged by the importance of the tasks they take on and by the quality of the work they produce. And that's how I hope you would judge me. I can't guarantee that you'll always be satisfied, but I can guarantee you that I'll always give it my best effort.

With that, Mr. Chairman, I'm pleased to answer any questions that the Committee may have.

Chairman SHELBY. Senator Kerrey has joined us.

Vice Chairman KERREY. Mr. Chairman, I welcome Mr. Snider and look forward to having the opportunity to question you.

Chairman SHELBY. Also, without objection, I ask that Mr. Snider's background questionnaire and financial disclosure statement with the letter of transmittal from the Office of Government Ethics be made part of the record at this point. Without objection, it is so ordered.

[The information referred to follows:]

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Date of Appointment, Candidacy, Election, or Nomination (Month, Day, Year)		Reporting Status (Check appropriate boxes) <input type="checkbox"/> Incumbent	Calendar Year Covered by Report	<input checked="" type="checkbox"/> New Entrant, Nominee, or Candidate	<input type="checkbox"/> Termination Year	Termination Date (If Applicable) (Month, Day, Year)	Agency Use Only
Reporting Individual's Name Last Name SNIDER		First Name and Middle Initial L. BRITT		OGE Use Only MAY 12 1998		Fee for Late Filing Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a \$200 fee.	
Position for Which Filing Inspector General		Department or Agency (If Applicable) Central Intelligence Agency		Reporting Periods Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.		Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.	
Location of Present Office (or forwarding address) 6030 Chesterbrook Road McLean, VA 22101		Telephone No. (Include Area Code) 703-536-4094		Nominees, New Entrants and Candidates for President and Vice President: Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.		Schedule B--Not applicable.	
Position(s) Held with the Federal Government During the Preceding 17 Months (If Not Same as Above) Special Counsel to the Director of Central Intelligence		Title of Position(s) and Date(s) Held 9/97 present		Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.		Schedule C, Part II (Agreements or Arrangements)--Show any agreements or arrangements as of the date of filing.	
President(s) Nominations Subject to Senate Confirmation Senate Select Committee on Intelligence		Name of Congressional Committee Considering Nomination		Do You Intend to Create a Qualified Diversified Trust? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.	
Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.		Signature of Reporting Individual <i>L. Britt Snider</i>		Date (Month, Day, Year) 5/5/98		Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)	
Other Review (If desired by agency)		Signature of Other Reviewer		Date (Month, Day, Year)			
Agency Ethics Official's Opinion On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the text below).		Signature of Designated Agency Ethics Official/Reviewing Official <i>Janet Vesilina</i>		Date (Month, Day, Year) 5/11/98			
Office of Government Ethics Agency Use Only		Signature <i>Stephen A. Potts</i>		Date (Month, Day, Year) 5-14-98			

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Reporting Individual's Name		SCHEDULE A continued											Page Number										
SNIDER, L. BRITT													3										
Block A		Block B					Block C																
Assets and Income		Valuation of Assets					Income: Type						Amount					Actual Amount Only if "Other" specified	Date (Mo., Day, Yr.) Only if Honorary				
Identify each asset held for the production of income which had a fair market value exceeding \$1,000 at the close of the reporting period. Identify each asset or source of income which generated over \$200 in income during the reporting period.		Over \$1,000,000	\$500,001 - \$1,000,000	\$100,001 - \$500,000	\$50,001 - \$100,000	\$1,001 - \$10,000	Rent and Royalties	Dividends	Capital Gains	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than \$200)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000			\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	
F	Vista Capital Growth (A) Fund																						
F	Fidelity Magellan Fund																						
D	T. Rowe Price Blue Chip Growth	X																					
S	Calvert Money Market Fund	X																					
S	Fidelity Retirement Growth Fund																						
S	Fidelity Overseas Fund	X																					
S	Franklin Templeton Investments Services Mutual Series Fund Class 2	X																					
S	T. Rowe Price Spectrum Growth	X																					
S	T. Rowe Price Spectrum Income	X																					

Reporting Individual's Name		SCHEDULE A continued											Page Number							
SNIDER, L. BRITT													4							
Block A		Block B					Block C													
Assets and Income		Valuation of Assets					Income: *Type				Amount							Actual Amount	Date (Mo., Day, Yr.)	
Identify each asset held for the production of income which had a fair market value exceeding \$1,000 at the close of the reporting period. Identify each asset or source of income which generated over \$200 in income during the reporting period.		Over \$1,000,000	\$250,001 - \$500,000	\$100,001 - \$250,000	\$50,001 - \$100,000	\$1,001 - \$50,000	Dividends	Rent and Royalties	Interest	Capital Gains	Excepted Trust	Other (Specify Type)	Over \$1,000,000	\$500,001 - \$1,000,000	\$100,001 - \$500,000	\$50,001 - \$100,000	\$2,501 - \$5,000	\$501 - \$1,000	Actual Amount	Date (Mo., Day, Yr.)
S	Rogers & Wells 401 (K) Plan		X								See p. 44									
F	The Cygnus Group Common Stock	X																		
S	Brandywine Fund								X											
S	Fidelity Spartan Bond Fund	X							X						X					
S	Fidelity Magellan	X							X						X					
S	Fidelity Blue Chip Growth	X							X						X					
S	Franklin Templeton Investors Services Mutual Series Fund: Shares, Z								X											
S	T. Rowe Price New American Growth	X							X						X					
S	Vanguard Index 500								X						X					

Reporting Individual's Name		SCHEDULE A continued										Page Number													
SNIDER, L. BRITT												4 a													
Block A		Block B					Block C																		
Assets and Income		Valuation of Assets					Income: Type			Amount				Actual Amount Only if "Other" specified	Date (Mo., Day, Yr.) Only if Honorary										
Identify each asset held for the production of income which had a fair market value exceeding \$1,000 at the close of the reporting period. Identify each asset or source of income which generated over \$200 in income during the reporting period.		\$1,000 - \$15,000	\$15,000 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000	Rent and Royalties	Dividends	Capital Gains	Exceptional Income	Trust			Qualifying Trust	Other (Specify Type)	\$1,000 - \$1,000	\$1,001 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	Over \$100,000		
1	Roger & Wells 401(k) plan																								
2	Merrill Lynch Growth Fund		X																						
3	Merrill Lynch Equity Index Fund																								
4	Merrill Lynch Corporate International Bond Fund														X										
5																									
6																									
7																									
8																									
9																									

Reporting Individual's Name SNIDER, L. BRITT		SCHEDULE A continued'											Page Number 5													
Block A		Block B					Block C																			
Assets and Income		Valuation of Assets					Income: Type						Amount					Actual Amount Only if "Other" specified	Date (Mo., Day, Yr.) Only if Honorary							
Identify each asset held for the production of income which had a fair market value exceeding \$1,000 at the close of the reporting period. Identify each asset or source of income which generated over \$200 in income during the reporting period.		\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	Over \$1,000,000	Rent and Royalties	Dividends	Capital Gains	Interest	Other (Specify Type)	None (Other than 201)	\$0 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000			\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000			
1	S Vanguard Windsor II																									
2	S Warburg Pincus Emerging Growth Fund	X																								
3	S Warburg Pincus Post Venture Capital Fund	X																								
4	F Dell Computer Common Stock																									
5	F Coca Cola Common Stock																									
6	F Food Lion A Common Stock																									
7	F Sprint Common Stock	X																								
8	F CCB Financial Common Stock	X																								
9	F Walt Disney Common Stock	X																								

Reporting Individual's Name		SCHEDULE A continued											Page Number				
SNIDER, L. BRITT													6				
Block A		Block B					Block C										
Assets and Income		Valuation of Assets					Income: Type			Amount					Actual Amount	Date (Mo., Day, Yr.)	
Identify each asset held for the production of income which had a fair market value exceeding \$1,000 at the close of the reporting period. Identify each asset or source of income which generated over \$200 in income during the reporting period.		\$1,001 - \$10,000	\$10,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$500,000	Over \$1,000,000	Rent and Royalties	Capital Gains	Excepted Trust	Other (Specify Type)	\$1,001 - \$10,000	\$10,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$500,000			Over \$1,000,000
1	F General Motors Common Stock	X															
2	F Banc One Common Stock										X						
3	F Bell Atlantic Common Stock										X						
4	F Burlington Northern Santa Fe Common Stock			X							X						
5	F Dow Chemical Common Stock	X									X						
6	F Emerson Electric Common Stock										X						
7	F Anheiser Busch Common Stock										X						
8	F SBC Communications Common Stock										X						
9	F Premark International Common Stock	X															

Reporting Individual's Name		SCHEDULE A continued											Page Number													
SNIDER, L. BRITT													7													
Block A		Block B					Block C																			
Assets and Income		Valuation of Assets					Income: Type						Amount					Actual Amount Only if "Other" specified	Date (Mo., Day, Yr.) Only if Honorary							
Identify each asset held for the production of income which had a fair market value exceeding \$1,000 at the close of the reporting period. Identify each asset or source of income which generated over \$200 in income during the reporting period.		Over \$1,000,000	\$500,001 - \$1,000,000	\$250,001 - \$500,000	\$100,001 - \$250,000	\$10,001 - \$100,000	Dividends	Interest and Royalties	Capital Gains	Exceptional Trust	Qualified Plans	Other (Specify Type)	Over \$1,000,000	\$500,001 - \$1,000,000	\$250,001 - \$500,000	\$100,001 - \$250,000	\$10,001 - \$100,000			000000 - 000000	000001 - 000005	000006 - 000010	000011 - 000015	000016 - 000020		
1	Tupperware Common Stock	X																								
2	Air Touch Common Stock	X																								
3	Burlington Resources Common Stock																									
4	Ford Motor Common Stock	X																								
5	Promus Hotel Corp. Common Stock	X																								
6	Harrah's Entertainment Common Stock	X																								
7	Ameritech Common Stock	X																								
8	EDS Common Stock	X																								
9	U. S. West Common Stock	X																								

Reporting Individual's Name		SCHEDULE A continued											Page Number				
SNIDER, L. BRITT													8				
Block A		Block B					Block C										
Assets and Income		Valuation of Assets					Income: Type			Amount			Actual Amount	Date (Mo., Day, Yr.)			
Identify each asset held for the production of income which had a fair market value exceeding \$1,000 at the close of the reporting period. Identify each asset or source of income which generated over \$200 in income during the reporting period.		\$0 - \$10,000	\$10,000 - \$50,000	\$50,000 - \$100,000	\$100,000 - \$250,000	Over \$250,000	Rent and Royalties	Capital Gains	Exempt Trust	Other (Specify Type)	\$0 - \$100	\$100 - \$500	\$500 - \$1,000	\$1,000 - \$5,000	\$5,000 - \$25,000	Only if "Other" specified	Only if Honoraria
F	Gateway 2000 Common Stock	X															
S	Potomac Investment Club - 1 share	X							See pp. 8a, 8b, 8c								
S	U.S. Premier Federal Credit Union-checking	X					X										
S	U.S. Premier Federal Credit Union-savings						X				X						
F	Computer Data Systems Common Stock							X									
F	McDonalds Common Stock							X				X					
F	Molecular Dynamics Common Stock	X									X						
F	Crestar Bank--checking	X															
F	Cambridge University								cost of living stipend						\$2500		

Reporting Individual's Name
SNIDER, L. BRITT

SCHEDULE A continued

Block A		Block B					Block C					Actual Amount Only if "Other" specified	Date (Mo., Day, Yr.) Only if Honoraria							
Assets and Income		Valuation of Assets					Income: Type		Amount											
Identify each asset held for the production of income which had a fair market value exceeding \$1,000 at the close of the reporting period. Identify each asset or source of income which generated over \$200 in income during the reporting period.		\$0 - \$100,000	\$100,001 - \$500,000	\$500,001 - \$1,000,000	\$1,000,001 - \$5,000,000	Over \$5,000,000	Rent and Royalties	Dividends	Capital Gains	Excepted Trust	Other (Specify Type)	\$0 - \$1,000	\$1,001 - \$5,000	\$5,001 - \$10,000	\$10,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$500,000	\$500,001 - \$1,000,000	\$1,000,001 - \$5,000,000	\$5,000,001 - \$10,000,000
1	Potomac Investment Club underlying assets																			
2	Helen of Troy, Ltd. common stock																			
3	Automatic Data Processing, Inc.: common stock																			
4	Biomet, Inc. common stock																			
5	Cifra SA De C V ADR common stock																			
6	Coca Cola common stock																			
7	Walt Disney Co. common stock																			
8	EMC Corp. common stock																			
9	Fannie Mae common stock																			

Reporting Individual's Name		SCHEDULE A continued											Page Number														
SNIDER, L. BRITT													8b														
Block A	Block B					Block C																					
Assets and Income	Valuation of Assets					Income: Type						Amount					Actual Amount	Date (Mo., Day, Yr.)									
Identify each asset held for the production of income which had a fair market value exceeding \$1,000 at the close of the reporting period. Identify each asset or source of income which generated over \$200 in income during the reporting period.	\$0.00	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000	Rent and Royalties	Interest	Capital Gain	Dividend Income	Exempt Trust	Qualified Trust	Other (Specify Type)	\$200 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$10,000	\$10,001 - \$25,000	\$25,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Actual Amount	Date (Mo., Day, Yr.)
1 Harley Davidson, Inc. common stock																											
2 Intel Corp. common stock																											
3 Isolyser Co., Inc. common stock																											
4 McDonalds Corp common stock																											
5 Motorola Inc. common stock																											
6 Nike, Inc. Cl B common stock																											
7 St. John Knits, Inc. common stock																											
8 State Street Corp. common stock																											
9 Weider Nutrition Int'l Inc.: common stock																											

Reporting Individual's Name		SCHEDULE A continued										Page Number				
SNIDER, L. BRITT												8c				
Block A		Block B					Block C									
Assets and Income		Valuation of Assets					Income: Type					Actual Amount	Date (Mo., Day, Yr.)			
Identify each asset held for the production of income which had a fair market value exceeding \$1,000 at the close of the reporting period. Identify each asset or source of income which generated over \$200 in income during the reporting period.		\$0.00 - \$100,000	\$100,000 - \$250,000	\$250,000 - \$500,000	\$500,000 - \$1,000,000	Over \$1,000,000	Rent and Royalties	Capital Gains	Exceptional Trust	Other (Specify Type)	\$0.00 - \$250,000	\$250,000 - \$500,000	\$500,000 - \$1,000,000	Over \$1,000,000	Only if "Other" specified	Only if Honoraria
1	Winston Communications common stock															
2	Worldcom Inc. common stock															
3	Zoltek Cos Inc. common stock															
4																
5																
6																
7																
8																
9																

1/91 Edition Can Be Used; Editions Prior to 1/91 Cannot Be Used.

Reporting Individual's Name SNIDER, L. BRITT	SCHEDULE C	Page Number 9
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Part I: Liabilities

Report liabilities over \$10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. Exclude a mortgage on your

personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None

	Creditor (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (\$)														
						10,000-14,999	15,000-19,999	20,000-24,999	25,000-29,999	30,000-34,999	35,000-39,999	40,000-49,999	50,000-59,999	60,000-69,999	70,000-79,999	Over 80,000				
Example:	First District Bank, Washington, DC John Jones, 123 J St., Washington, DC	Mortgage on rental property, Delaware Promissory note	1991 1989	13% 10%	25 yrs. on demand															
1	Nationwide Mortgage Corp. P.O. Box 9481, Gaithersburg, MD 20898	Mortgage on vacation home Rethany Beach, DE	1978	9.25	30 y														X	
2																				
3																				
4																				
5																				

Part II: Agreements or Arrangements

Report your agreements or arrangements for:
 (1) continuing participation in an employee benefit plan (e.g. pension, 401K, deferred compensation); (2) continuation of payment by a former employer (including severance payments);

(3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/91.	Dee Jones & Smith, Hometown, State	7/85
1			
2			
3			
4			
5			
6			

Reporting Individual's Name SNIDER, L. BRITT	SCHEDULE D	Page Number 10
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Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. Exclude positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Natl Assn. of Recd Collectors, NY, NY Doe Jones & Smith, Hometown, State	Non-profit education Law firm	President Partner	6/82 7/85	Present 11/91
1	Mellon Scholar, Cambridge, England	educational organization	professor	1/97	3/97
2	ABA, Advisory Committee to the Committee on Law & National Security	professional	Member	1995	present
3					
4					
5					
6					

Part II: Compensation In Excess Of \$5,000 Paid by One Source

Report sources of more than \$5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any

corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than \$5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None

	Source (Name and Address)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services Legal services in connection with university construction
1		
2		
3		
4		
5		
6		



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

May 14, 1998

The Honorable Richard C. Shelby
Chairman
Select Committee on Intelligence
United States Senate
Washington, DC 20510

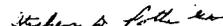
Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by L. Britt Snider, who has been nominated by President Clinton for the position of Inspector General for the Central Intelligence Agency.

We have reviewed the report and have also obtained advice from the Central Intelligence Agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is a letter dated May 11, 1998, from the ethics official at the Central Intelligence Agency, outlining the steps which Mr. Snider will take to avoid conflicts of interest. Unless a specific date has been agreed to, he must fully comply within three months of his confirmation date with the actions he agreed to take in his ethics agreement.

Based thereon, we believe that Mr. Snider is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,


Stephen D. Potts
Director

Enclosures

CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

Office of General Counsel

11 May 1998

The Honorable Stephen D. Potts
Director
Office of Government Ethics
1201 New York Avenue, N.W.
Suite 500
Washington, D.C. 20005-3919

Dear Mr. Potts:

I have reviewed the Public Financial Disclosure Form SF-278, dated May 5, 1998, submitted by L. Britt Snider, in connection with President Clinton's nomination of Mr. Snider to serve as Inspector General to the Central Intelligence Agency. As part of my review of Mr. Snider's report, I have examined the duties and responsibilities of the Inspector General as reflected in various statutes and executive orders. An Inspector General Position Description, which summarizes the statutory duties and responsibilities of the Inspector General, is attached to this letter and submitted for your review.

Based on my review of Mr. Snider's report and based upon the specific commitments he has made, it is my opinion that there is no unresolved conflict of interest under the applicable laws and regulations and I have so certified. The specific commitments made by Mr. Snider are discussed below.

Federal Government Positions

Mr. Snider presently serves as Special Counsel to the Director of Central Intelligence, a position he has held since September, 1997. He will leave this position upon his confirmation.

Non-Federal Government Positions

Mr. Snider held two positions outside the Federal Government during the reporting period (Schedule D, Part I). He was a Mellon Scholar in Cambridge, England, January to March, 1997. This position poses no conflict with his duties as Inspector General, since it was temporary and he

The Honorable Stephen D. Potts

no longer occupies it. In addition, Mr. Snider has been a Member of the American Bar Association, Advisory Committee to the Committee on Law and National Security since 1995. Mr. Snider does not hold an office or have fiduciary responsibilities for this committee, but rather is a mere member. As such, his membership does not conflict with his duties as Inspector General.

Assets Held or Income Received

I have reviewed Mr. Snider's assets and income during the reporting period, which are set forth on Schedule A, to determine whether ownership of those assets would pose a financial conflict of interest with Mr. Snider's duties as Inspector General. In conducting this review, I directed a search be undertaken of relevant CIA data bases to determine whether CIA has current contractual relationships with any of the entities listed on Schedule A.

With the exceptions noted below, there are six entities listed on Mr. Snider's Schedule A with which CIA has current contractual relationships. These companies are General Motors, Ford Motor Co., Gateway 2000, Electronic Data Systems, Sprint and Bell Atlantic. We have excluded from this list those companies that provide routine support to CIA domestic facilities of a *de minimis* nature.

We have determined that the market value of the shares of Electronic Data Systems stock owned by Mr. Snider is *de minimis* and therefore the ownership of these shares would not create a conflict of financial interest under 18 U.S.C. Section 208. Under 18 U.S.C. Section 208(b)(2), the Office of Government Ethics has the authority to promulgate regulations describing financial interest as too remote or inconsequential to affect the integrity of service of government officers or employees. Pursuant to this provision, OGE has promulgated regulations that describe these financial interests. Under 5 C.F.R. 2640.202, an employee may participate in any particular matter involving specific parties in which the disqualifying financial interest arises from ownership by the employee, his spouse or minor child of securities issued by an entity affected by the particular matter if the securities are publicly traded and the aggregate market value of the holdings in the securities does not exceed \$5,000. This provision is known as the *de minimis* exemption for matters involving specific parties. We have determined that Mr. Snider's holding of Electronic Data Systems is currently valued at less than \$5,000. As such, this holding fits within the *de minimis*

The Honorable Stephen D. Potts

exemption for matters involving specific parties and Mr. Snider could take action on official matters involving this company without creating a financial conflict of interest.

In addition, there are five entities listed on Mr. Snider's Schedule A with which CIA has current contractual relationships and Mr. Snider's holdings exceed \$5,000. These companies are Ford Motor Co., General Motors, Sprint, Gateway 2000 and Bell Atlantic. Mr. Snider has agreed that if he is confirmed as Inspector General, he will disqualify himself in writing from participating in any particular matter that would have a direct and predictable effect on any of these companies. The disqualification statement will provide that his deputy will act in lieu of the Inspector General directly with respect to those particular matters.

Screening Arrangement

If Mr. Snider is confirmed as Inspector General, an appropriate and effective screening arrangement will be established to ensure that Mr. Snider does not take official action on any particular matter that would have a direct and predictable effect on his financial interests or those of his wife or son. The matters to be screened will include not only contracts or proposed contracts, but investigations or audits involving matters in which Mr. Snider, his spouse or son has a financial interest as well. In the event a determination is made that Mr. Snider's taking action on a particular matter would create such a conflict of interest under applicable laws or OGE regulations, Mr. Snider will recuse himself from taking any action with respect to the particular matter, or will divest himself of the interest giving rise to the conflict.

Please contact me at (703) 874-3152 if you need additional information concerning either the enclosed report or my opinion based on my review of that report.

Sincerely,



David M. Pearline
Associate General Counsel
Acting Designated Agency Ethics Official

Enclosures

The position of Inspector General of the Central Intelligence Agency was created by statute (50 U.S.C. § 403q). The Inspector General is appointed by the President and is confirmed by the Senate. The Inspector General reports directly to and is under the general supervision of the Director of Central Intelligence.

The Inspector General has broad duties and responsibilities. The Inspector General independently conducts, supervises and coordinates the inspections, investigations and audits of the Agency's programs and operations to ensure they are efficient and conducted in accordance with applicable laws and regulations. It is the Inspector General's duty to keep the Director fully and currently informed of any violations of law and regulations and abuses or deficiencies in Agency programs and operations and to monitor the implementation of corrective actions. The Inspector General must comply with generally accepted auditing standards and take such measures as appropriate to protect intelligence sources and methods when preparing reports issued by the Office.

**SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES SENATE**

**QUESTIONNAIRE FOR COMPLETION BY
PRESIDENTIAL NOMINEES**

PART A - BIOGRAPHICAL INFORMATION

1. NAME: L. Britt Snider
2. DATE AND PLACE OF BIRTH: January 12, 1945; Rocky Mount, North Carolina
3. MARITAL STATUS: Married
4. SPOUSE'S NAME: Virginia Lansford Snider
5. SPOUSE'S MAIDEN NAME IF APPLICABLE: Virginia Nan Lansford
6. NAMES AND AGES OF CHILDREN:

NAME Britt Arnold Snider
AGE 22

7. EDUCATION SINCE HIGH SCHOOL:

<u>INSTITUTION OF DEGREE</u>	<u>DATES ATTENDED</u>	<u>DEGREE RECEIVED</u>	<u>DATE</u>
Davidson College	10/62-6/66	A.B. (History)	6/66
University of Virginia School of Law	10/66-6/69	Juris Doctor	6/69
Executive Program in National and International Security, John F. Kennedy School of Government, Harvard University	9/80	none	

8. EMPLOYMENT RECORD (LIST ALL POSITIONS HELD SINCE COLLEGE, INCLUDING MILITARY SERVICE. INDICATE NAME OF EMPLOYER, POSITION, TITLE OR DESCRIPTION, LOCATION AND DATES OF EMPLOYMENT.)

<u>EMPLOYER LOCATION</u>	<u>DATES</u>	<u>POSITION/TITLE</u>
U.S. Army Carlisle, PA Qui Nhon, South Vietnam	11/69-10/71	Commissioned as 1st Lieutenant in Signal Corps; Discharged as Captain
U.S. Senate Washington, D.C.	1/72-12/74	Counsel, Judiciary Subcommittee on Constitutional Rights
U.S. Senate Washington, D.C.	1/75-5/76	Counsel, Select Committee to Study Governmental Activities Related to Intelligence Activities (the Church Committee)
Ketner & Snider Salisbury, N.C.	5/77-5/77	Partner in law firm
U.S. House of Representatives Washington, D.C.	5/77-9/77	Counsel, Government Operations Subcommittee on Government Information
Office of the Secretary of Defense Washington, D.C.	9/77-1/87	Assistant Deputy Undersecretary for Policy (Counterintelligence and Security) (title changed during the ten-year period)
U.S. Senate Washington, D.C.	1/87-1/89	Minority Counsel, Select Committee on Intelligence
U.S. Senate Washington, D.C.	1/89-2/95	General Counsel, Select Committee on Intelligence
Commission on the Roles and Capabilities of the U.S. Intelligence Community (Aspin/Brown) Washington, D.C.	2/95-4/96	Staff Director
Center for the Study of Intelligence, CIA Washington, D.C.	6/96-3/97	Visiting Senior Fellow
Cambridge University Cambridge, England	1/97-3/97	Visiting Mellon Scholar in American History
Self-employed McLean, Virginia	4/97-9/97	Writing and Guest Teaching
Central Intelligence Agency Langley, Virginia	9/97-present	Special Counsel to the Director of Central Intelligence

9. GOVERNMENT EXPERIENCE (INDICATE EXPERIENCE IN OR ASSOCIATION WITH FEDERAL, STATE OR LOCAL GOVERNMENTS, INCLUDING ADVISORY, CONSULTATIVE, HONORARY OR OTHER PART-TIME SERVICE OR POSITION. DO NOT REPEAT INFORMATION ALREADY PROVIDED IN ANSWER TO QUESTION 8):

My government experience is recounted in its entirety in my response to question 8.

10. INDICATE ANY SPECIALIZED INTELLIGENCE OR NATIONAL SECURITY EXPERTISE YOU HAVE ACQUIRED HAVING SERVED IN THE POSITIONS DESCRIBED IN QUESTIONS 8 AND/OR 9.

With the exception of my positions on the Senate Judiciary Committee staff (1972-1974) and my year practicing law in North Carolina (1976-77), each of the positions I have held has been in the national security or, more specifically, the intelligence area. I have become familiar with intelligence operations generally, as well as the legal and regulatory framework in which they are carried out.

11. HONORS AND AWARDS (PROVIDE INFORMATION ON SCHOLARSHIPS, FELLOWSHIPS, HONORARY DEGREES, MILITARY DECORATIONS, CIVILIAN SERVICE CITATIONS, OR ANY OTHER SPECIAL RECOGNITION FOR OUTSTANDING PERFORMANCE OR ACHIEVEMENT):

Omicron Delta Kappa, 1966
 Who's Who in American Colleges and Universities, 1966
 Department of Defense Distinguished Civilian Service Award, 1981
 Department of Defense Meritorious Civilian Service Award, 1987
 Who's Who in America (1987-1998)
 National Security Agency Law Day Award (recognizing contributions to the law of intelligence), 1994
 Central Intelligence Agency Seal Medallion Award (recognizing contributions as General Counsel of the SSCI), 1995

12. ORGANIZATIONAL AFFILIATIONS (LIST MEMBERSHIPS IN AND OFFICES HELD WITHIN THE LAST TEN YEARS IN ANY PROFESSIONAL CIVIC, FRATERNAL, BUSINESS, SCHOLARLY, CULTURAL, CHARITABLE OR OTHER SIMILAR ORGANIZATIONS):

ORGANIZATION
DATES

OFFICE HELD

Virginia State Bar, 1969-1998	(None in any of the organizations listed)
District of Columbia Bar Association, 1972-1998	
American Bar Association, Committee on Law and National Security (1992-1995)	
American Bar Association, Advisory Committee to the Committee on Law and National Security, (1995-present)	
Steering Committee on the Intelligence and Policy Project, John F. Kennedy School of Government, Harvard University (1993-present)	
Working Group on Intelligence Reform, Consortium for the Study of Intelligence (1993-1996)	

13. PUBLISHED WRITINGS AND SPEECHES (LIST THE TITLES, PUBLISHERS, AND PUBLICATION DATES OF ANY BOOKS, ARTICLES, REPORTS OR OTHER PUBLISHED MATERIALS YOU HAVE AUTHORED. ALSO LIST THE TITLES OF ANY PUBLIC SPEECHES YOU HAVE MADE WITHIN THE LAST 10 YEARS FOR WHICH THERE IS A TEXT OR TRANSCRIPT. TO

THE EXTENT POSSIBLE, PLEASE PROVIDE A COPY OF EACH SUCH PUBLICATION, TEXT OR TRANSCRIPT.

"Sharing Secrets with Lawmakers: Congress as a User of Intelligence" (monograph published in February, 1997 by the Center for the Study of Intelligence)

"Intelligence and Law Enforcement" (article published as chapter 17 of U.S. Intelligence at the Crossroads, edited by Godson, May, and Schmitt, Brassey's, 1995)

"A Spy's Own Story" (Book Review of Confessions of a Spy by Pete Early), published in The Times of London, July 11, 1997.

"The New (and Largely Unappreciated) Legal Framework for U.S. Intelligence," published in "Colloquy", the Journal of the Security Affairs Support Association, October, 1993.

PART B - QUALIFICATIONS

14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE IN THE POSITION FOR WHICH YOU HAVE BEEN NOMINATED):

I believe I am qualified both by my formal training as a lawyer and by my prior government service to serve as the CIA Inspector General. Although my tenure as an employee of the Agency is recent and limited, I have worked closely with the Agency for most of the last 23 years, as a congressional overseer, as a Defense Department official, and as the staff director of a presidential commission that assessed its mission and capabilities. I have conducted investigations of CIA practices and programs as well as those of other agencies within the Intelligence Community, and I have supervised such investigations by others. I am familiar with the laws and policies that govern the activities of the CIA, and have a basic familiarity with the organization and operation of the Inspector General's office at the CIA. Indeed, I was the principal drafter of the statute which created the office in 1990.

15. A. DESCRIBE PREVIOUS EXPERIENCE YOU HAVE HAD AS A MEMBER OF AN INSPECTOR GENERAL OFFICE OR AS A PARTICIPANT IN AN INSPECTOR GENERAL ACTIVITY FOR ANY AGENCY OF GOVERNMENT.

As indicated in my previous responses, I have had no previous experience as a member of an Inspector General Office or as a participant in an "Inspector General activity."

B. DESCRIBE PREVIOUS EXPERIENCE YOU HAVE HAD WITH INVESTIGATIONS, INSPECTIONS AND AUDITS.

As General Counsel and Minority Counsel of the SSCT, I supervised and participated in several investigations during the period from 1987 until 1995. Key among them were the investigation into the Ames espionage case, the Banco Nazionale Del Lavoro matter, the Gates confirmation hearings (which involved a variety of investigative work), and the inquiry into whether the Reagan Administration improperly withheld documents from the Iran-contra Committee. I also served during this period as staff liaison for then Senator Cohen to the Iran-contra Committee and participated in that investigation.

As Counsel for the Church Committee from 1975-1976, I was responsible for the Committee's investigative inquiries regarding the National Security Agency and the domestic intelligence activities of the military services in the late 1960s and early 1970s.

As Counsel for the Senate Judiciary Subcommittee on Constitutional Rights from 1972 through 1974, I conducted limited investigations into various matters within the purview of the subcommittee.

Finally, although I would not classify them as "investigations" in the sense of attempting to uncover alleged wrongdoing or improprieties, I was the staff director for two "fact-finding" commissions -- the # presidential commission (Aspin/Brown) and the other a DoD commission (the Stilwell Commission).

16. DESCRIBE YOUR LEADERSHIP AND MANAGEMENT EXPERIENCE TO INCLUDE THE NUMBER AND LEVEL OF THE PEOPLE YOU HAVE SUPERVISED, WHEN AND FOR HOW LONG.

As Assistant Deputy UnderSecretary of Defense for Policy from 1977 until 1986, I supervised a staff of approximately 40 people, whose grades ranged from GS-12s to SES-III.

For most of my tenure on the SSCI (1987-1995), I was the sole lawyer on the staff, although from 1991-1992, I had one assistant counsel whose work I supervised.

At the Aspin-Brown Commission, I hired and supervised a staff of 20 people from February, 1995 until April, 1996. The staff was composed of roughly one-third retirees, one-third detailees from other agencies, and approximately one-third recruited from other positions.

17. WHAT ARE YOUR VIEWS ON THE APPROPRIATE RELATIONSHIP BETWEEN THE CIA IG AND THE CIA GENERAL COUNSEL AND THEIR RESPECTIVE OFFICES? WHAT IS YOUR UNDERSTANDING OR KNOWLEDGE OF THE NATURE OF TENSIONS, IF ANY, THAT HAVE EXISTED OR DO EXIST, BETWEEN THESE TWO OFFICES.

The CIA IG and CIA General Counsel have different but complementary roles to play. Generally speaking, the CIA General Counsel advises the DCI and CIA management regarding the application of laws, Executive Branch policy, and the Agency's internal regulations to its ongoing operations. The IG, on the other hand, conducts investigations, inspections, and audits to determine whether the Agency is in compliance with these laws, Executive policies, and internal regulations. There are also areas where the functions of the two offices overlap -- for example, both offices have responsibility to refer possible criminal conduct to the Department of Justice under certain circumstances.

On occasion, these functions have brought the two offices into conflict. This has occurred principally when the IG has taken issue with the legal opinions or advice provided by the General Counsel or when an IG investigation, inspection, or audit has faulted the performance of the General Counsel's office. There have also been occasional disputes over the need to refer possible violations of law to the Department of Justice.

These tensions were especially acute during the years immediately following the creation of the statutory IG at the CIA. The IG hired his own legal staff -- something which had not previously existed -- which provided him an independent capability to assess the legal issues that arose in the course of the IG's work. In the last few years, my impression is, the tensions between the two offices have not been as frequent or as aggravated as they were initially.

18. DESCRIBE THE HISTORY, NATURE, AND EXTENT, IF ANY, OF YOUR PERSONAL BUSINESS, AND PROFESSIONAL RELATIONSHIP WITH THE CURRENT DCI AND DDCI.

I met George Tenet when I joined the SSCI staff in January, 1987. He was a professional staff member principally working arms control issues, and, as Minority Counsel, I did not work with him to any significant degree until he became Staff Director in January, 1989. (I was moved from Minority Counsel to General Counsel at that time, and no one was appointed to fill the Minority Counsel position.)

I worked closely with Mr. Tenet for the next four years, until he left the Committee at the expiration of Senator Boren's term as Chairman to take a position on the NSC staff. I remained at the SSCI for the next

two years as General Counsel under Senator DeConcini. I would have occasional professional contacts with Mr. Tenet during this two-year period.

In February, 1995, I left the SSCI to become staff director of the Aspin Commission. Mr. Tenet was still at the NSC staff at the time, and I saw him two or three times during this period, at one point interviewing him for the Aspin Commission study. After leaving the Commission, I undertook a contract study for the Center for the Study of Intelligence and interviewed Mr. Tenet for this study (he was DDCI at the time) during the summer of 1996. I had no further contact with him until the summer of 1997, when we discussed my coming back into government in some capacity. In August, 1997, he offered me the position of Special Counsel.

My relationship with the DCI as Special Counsel is described in my responses to questions 20 and 26 below.

The nature and extent of my relationship with George Tenet, from 1987 until the present, has been almost entirely a function of our respective professional responsibilities. Over the 11 years I've known him, I have been to two or three social occasions at his home, all work-related, and he has been to my home once or twice, also office-related functions.

I met General Gordon for the first time in September, 1997, when I became Special Counsel to the DCI. My relationship with him has been entirely work-related.

19. WHAT ARE THE EXACT DATES AND NATURE OF YOUR ASSOCIATION, OTHER THAN AS LEGISLATIVE STAFF, (I.E. AS AN EMPLOYEE, CONTRACTOR, CONSULTANT OR OTHER, PAID OR UNPAID, WITH ANY ELEMENT OF THE INTELLIGENCE COMMUNITY (IC)?

As indicated in my earlier responses, I was an independent contractor of the CIA's Center for the Study of Intelligence from June, 1996 until March, 1997. I have been Special Counsel to the DCI, a CIA staff position, from September, 1997 until the present.

20. DESCRIBE THE NATURE OF THE DUTIES AND SPECIFIC PROJECTS YOU HAVE UNDERTAKEN OR WERE ASSIGNED DURING YOUR ASSOCIATION WITH THE CIA OR IC AS DESCRIBED IN YOUR ANSWER TO QUESTION 19. WHO ASSIGNED THESE DUTIES OR PROJECTS TO YOU?

As an independent contractor of the Center for the Study of Intelligence, I undertook a study on sharing intelligence with the Congress, which was completed in November, 1996. The contract also called for me to present the study at a conference jointly sponsored by the Center and the School of Foreign Service at Georgetown University, which occurred in March, 1997. I negotiated the terms of this arrangement with Brian Latell, the Director of the Center for the Study of Intelligence.

As Special Counsel to the DCI, I have undertaken a range of work, varying in its scope and complexity. I have prepared several formal reports requested by the DCI. I have reviewed and commented upon certain work going to the DCI for action. I have represented the CIA on occasion to various external audiences. I have prepared memoranda at the request of the Chief of Staff to the DCI, the Executive Director, and Deputy Executive Director, all of which were subject to the approval of the DCI. In other cases, I was asked to participate in the Agency's internal staff process when components believed I could make a contribution to the issue at hand. I have also served on several Agency administrative panels. Finally, I am asked by the DCI on occasion to provide advice on sensitive personnel or public affairs matters. (See my answer to question 26 for further details with regard to the subject matter of this work.)

After I agreed to my name being submitted as a possible nominee for the Inspector General position in mid-December, 1997, my duties changed somewhat in that I no longer was given duties or responsibilities that were seen as potentially complicating or otherwise inconsistent with my status.

21. DESCRIBE THE NATURE AND EXTENT OF YOUR CONTACTS, IF ANY, WITH THIS COMMITTEE AND THE HPSCI, AND THEIR RESPECTIVE STAFFS, DURING YOUR ASSOCIATION WITH THE CIA OR IC AS DESCRIBED IN YOUR ANSWER TO QUESTION 19, IN WHAT CAPACITY WERE YOU ACTING DURING THESE CONTACTS?

In preparing the study for the Center for the Study of Intelligence, I interviewed Members and staff of both oversight committees. When the study was published and later when the conference on the paper was held at Georgetown, I again had contacts with the staffs of both committees, soliciting their reactions to the paper and their attendance/participation in the conference.

As Special Counsel to the DCI, I had two meetings with the SSCI staff -- one in November, 1997 and one in December, 1997, to attempt to resolve the 3 ADICI issue then pending. The DCI specifically asked me to do this, given my prior experience with this kind of issue on the Aspin-Brown Commission and when I served on the Committee staff. I had one meeting with the HPSCI staff on the same topic, also in December, 1997.

I have had occasional telephone conversations with staff from both committees throughout this entire period, exchanging information or views on particular issues or simply constituting personal calls, inasmuch as I remain friends with a number of staff on both sides from my days on the SSCI staff.

22. HAVE YOU INVOLVED YOURSELF IN ANY WAY WITH THE ADVOCACY FOR OR AGAINST INTELLIGENCE RELATED ACTIVITIES OR LEGISLATION WITH THE CIA OR IC AS DESCRIBED IN YOUR ANSWER TO QUESTION 19? IF SO, DESCRIBE THE NATURE AND EXTENT OF SUCH ADVOCACY?

See my answer to question 21.

As I mentioned in my answer to question 20, after I agreed to my name being submitted as a possible nominee for the Inspector General position in mid-December, 1997, I was no longer given duties that were seen as potentially complicating for a nominee to the Inspector General position. This included representing the Agency's position to congressional committees with regard to proposed or pending legislation.

23. WERE ANY OF THE ACTIVITIES YOU DESCRIBED IN YOUR ANSWERS TO QUESTION 20 THROUGH 22 PERFORMED BY YOU WHILE IN AN UNPAID CAPACITY? IF SO, IDENTIFY SPECIFICALLY SUCH ACTIVITIES.

No.

24. DURING ANY OF THE PERIODS DESCRIBED IN YOUR ANSWER TO QUESTION 19, WERE YOU RECEIVING COMPENSATION OR PAYMENT AS A CONSULTANT, CONTRACTOR, OR EMPLOYEE FROM ANY SOURCE OTHER THAN THE CIA OR IC? IF SO, DESCRIBE THE NATURE AND EXTENT OF YOUR RELATIONSHIP TO THE PAYER AND THE NATURE AND EXTENT OF SUCH COMPENSATION OR PAYMENTS. FURTHER DESCRIBE THE NATURE AND EXTENT OF YOUR DUTIES OR RESPONSIBILITIES TO RECEIVE SUCH PAYMENT.

During the period I was an independent contractor of the CIA's Center for the Study of Intelligence (June, 1996 until March, 1997), I taught two college-level courses for which I received small remuneration. One

was to co-teach a writing seminar in the National Security Studies Program at Georgetown University during the fall of 1996. The other was to teach a course at Cambridge University in England on intelligence and foreign policy from January through March, 1997. I received small amounts for the lectures and supervisions I conducted while there. This sort of teaching activity was not precluded by my contract with the Center for the Study of Intelligence.

25. ARE YOU NOW AN EMPLOYEE, CONTRACTOR, OR CONSULTANT WITH THE CIA? IF SO, WHAT ARE THE TERMS OF YOUR EMPLOYMENT OR CONTRACT AND WHAT TYPE OR CATEGORY OF EMPLOYEE OR CONTRACTOR ARE YOU? WHO HIRED YOU AND FOR WHAT DURATION?

I am a staff employee of the CIA. I am paid at the SIS-III level (although my federal retirement annuity is deducted from my pay). The DCI hired me in September, 1997, for an unspecified period as Special Counsel.

26. DESCRIBE IN DETAIL YOUR PRESENT DUTIES AND RESPONSIBILITIES AT THE CIA. TO WHOM DO YOU REPORT AND WHO ASSIGNS YOU TASKS AND RESPONSIBILITIES? DESCRIBE THE SPECIFIC ISSUES ON WHICH YOU HAVE WORKED OR ARE WORKING IN YOUR CURRENT ROLE. WHO REVIEWS OR EVALUATES YOUR PERFORMANCE? WHO SETS YOUR LEVEL OF COMPENSATION?

With regard to my present duties and responsibilities, see my answer to Question 20. In addition, I serve as the CIA representative to the interagency agency panel which considers the declassification of covert actions in support of the *Foreign Relations of the United States* series. In this capacity, I develop and represent the Agency's position, subject to the approval of the Executive Director. I am also a member of the Editorial Board for *Studies in Intelligence*, published by the Center for the Study of Intelligence, which entails reading and commenting upon articles submitted for publication.

I report to the DCI. I am assigned work by the DCI and DDCI, as well as by other senior officials (e.g. the Chief of Staff, the Executive Director, the Deputy Executive Director) subject to the DCI's approval. My level of compensation was set by the Admin Chief for the DCI area, presumably subject to the DCI's approval. I did not discuss it with the DCI per se. The DCI evaluates my performance.

As far as specific issues on which I have worked, or am working, as Special Counsel, I am listing here only those issues in which I have made a substantive contribution beyond simply reviewing someone else's work. These issues include: the DCI's responsibilities in the foreign liaison area; CIA's relationship with NIMA; CIA's historical declassification program; resolution of the GULFLINK controversy; CIA policy with regard to posting its information on INTELINK-S; resolution of the 3 ADCI issue (described in my answer to question 21); restructuring the DCID system; disclosure of the aggregate budget figure; and describing the Agency's oversight structure to the Intelligence Oversight Board.

I also review and comment upon all Inspector General reports going to the DCI for information or action.

PART C - POLITICAL AND FOREIGN AFFILIATIONS

27. POLITICAL ACTIVITIES (LIST ANY MEMBERSHIPS OR OFFICES HELD IN OR FINANCIAL CONTRIBUTIONS OR SERVICES RENDERED TO, ANY POLITICAL PARTY, ELECTION COMMITTEE, POLITICAL ACTION COMMITTEE, OR INDIVIDUAL CANDIDATE DURING THE LAST TEN YEARS):

None

28. CANDIDACY FOR PUBLIC OFFICE (FURNISH DETAILS OF ANY CANDIDACY FOR ELECTIVE PUBLIC OFFICE):

None

29. FOREIGN AFFILIATIONS

NOTE: QUESTIONS 29 A AND 29B ARE NOT LIMITED TO RELATIONSHIPS REQUIRING REGISTRATION UNDER THE FOREIGN AGENTS REGISTRATION ACT. QUESTIONS 29 A, B, AND C DO NOT CALL FOR A POSITIVE RESPONSE IF THE REPRESENTATION OR TRANSACTION WAS AUTHORIZED BY THE UNITED STATES GOVERNMENT IN CONNECTION WITH YOUR OR YOUR SPOUSE'S EMPLOYMENT IN GOVERNMENT SERVICE.

A. HAVE YOU OR YOUR SPOUSE EVER REPRESENTED IN ANY CAPACITY (E.G. EMPLOYEE, ATTORNEY, BUSINESS, OR POLITICAL ADVISER OR CONSULTANT), WITH OR WITHOUT COMPENSATION, A FOREIGN GOVERNMENT OR AN ENTITY CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE FULLY DESCRIBE SUCH RELATIONSHIP.

My wife (who is not an attorney herself) is an employee of the law firm of Rogers & Wells, Washington, D.C., who has represented the aviation company, Airbus, on certain matters. Airbus is owned by a consortium composed of the French, British, German and Spanish governments.

B. HAVE ANY OF YOUR OR YOUR SPOUSE'S ASSOCIATES REPRESENTED, IN ANY CAPACITY, WITH OR WITHOUT COMPENSATION, A FOREIGN GOVERNMENT OR AN ENTITY CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE FULLY DESCRIBE SUCH RELATIONSHIP.

See answer to part A.

C. DURING THE PAST TEN YEARS, HAVE YOU OR YOUR SPOUSE RECEIVED ANY COMPENSATION FROM, OR BEEN INVOLVED IN ANY FINANCIAL OR BUSINESS TRANSACTIONS WITH, A FOREIGN GOVERNMENT OR ANY ENTITY CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE FURNISH DETAILS.

See answer to part A. My wife did not receive compensation directly from a foreign government or entity controlled by a foreign government, but the firm which employs her did.

D. HAVE YOU OR YOUR SPOUSE EVER REGISTERED UNDER THE FOREIGN AGENTS REGISTRATION ACT? IF SO, PLEASE FURNISH DETAILS.

No.

30. DESCRIBE ANY LOBBYING ACTIVITY DURING THE PAST TEN YEARS, OTHER THAN IN AN OFFICIAL U.S. GOVERNMENT CAPACITY, IN WHICH YOU OR YOUR SPOUSE HAVE ENGAGED FOR THE PURPOSE OF DIRECTLY OR INDIRECTLY INFLUENCING THE PASSAGE,

DEFEAT OR MODIFICATION OF LEGISLATION AT THE NATIONAL LEVEL OF GOVERNMENT, OR FOR THE PURPOSE OF AFFECTING THE ADMINISTRATION AND EXECUTION OF NATIONAL LAW OR PUBLIC POLICY.

None

PART D - FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST

31. DESCRIBE ANY EMPLOYMENT, BUSINESS RELATIONSHIP, FINANCIAL TRANSACTION, INVESTMENT ASSOCIATION OR ACTIVITY (INCLUDING, BUT NOT LIMITED TO DEALINGS WITH THE FEDERAL GOVERNMENT ON YOUR OWN BEHALF OR ON BEHALF OF A CLIENT), WHICH COULD CREATE, OR APPEAR TO CREATE, A CONFLICT OF INTEREST IN THE POSITION TO WHICH YOU HAVE BEEN NOMINATED.

I am advised by the CIA General Counsel's Office that among my investments are shares of common stock in six companies which have unclassified contracts with the CIA. One of these holdings is *de minimis* and does not pose a potential conflict of interest. The five remaining companies are Ford Motor Co., General Motors, Sprint, Gateway 2000, and Bell Atlantic. These investments are reported on Schedule A of my SF 278, attached. In addition, there are three classified contractual relationships with entities in which I or my wife have a financial interest. Accordingly, I shall provide the identification of these companies in a separate, classified submission to the Committee. These investments are among those reported on Schedule A of my SF 278, attached.

I am aware of no other circumstance which creates, or appears to create, a conflict of interest with respect to the position for which I have been nominated.

32. DO YOU INTEND TO SEVER ALL BUSINESS CONNECTIONS WITH YOUR PRESENT EMPLOYERS, FIRMS, BUSINESS ASSOCIATES AND/OR PARTNERSHIPS OR OTHER ORGANIZATIONS IN THE EVENT THAT YOU ARE CONFIRMED BY THE SENATE? IF NOT, PLEASE EXPLAIN.

Since I am presently employed by the CIA, I do not plan to sever this relationship. I will simply move to a new position within the organization.

33. DESCRIBE THE FINANCIAL ARRANGEMENTS YOU HAVE MADE OR PLAN TO MAKE IF YOU ARE CONFIRMED, IN CONNECTION WITH SEVERANCE FROM YOUR CURRENT POSITION PLEASE INCLUDE SEVERANCE PAY, PENSION RIGHTS, STOCK OPTIONS, DEFERRED INCOME ARRANGEMENTS AND ANY AND ALL COMPENSATION THAT WILL OR MIGHT BE RECEIVED IN THE FUTURE AS A RESULT OF YOUR CURRENT BUSINESS OR PROFESSIONAL RELATIONSHIPS.

Not applicable.

34. DO YOU HAVE ANY PLANS, COMMITMENTS OR AGREEMENTS TO PURSUE OUTSIDE EMPLOYMENT, WITH OR WITHOUT COMPENSATION, DURING YOUR SERVICE WITH THE GOVERNMENT? IF SO, PLEASE FURNISH DETAILS.

No.

35. AS FAR AS CAN BE FORESEEN, STATE YOUR PLANS AFTER COMPLETING GOVERNMENT SERVICE. PLEASE SPECIFICALLY DESCRIBE ANY AGREEMENTS OR UNDERSTANDINGS, WRITTEN OR UNWRITTEN, CONCERNING EMPLOYMENT AFTER LEAVING GOVERNMENT SERVICE. IN

PARTICULAR, DESCRIBE ANY AGREEMENTS, UNDERSTANDINGS OR OPTIONS TO RETURN TO YOUR CURRENT POSITION.

Assuring I am confirmed to this position, I have no plans other than to return to private life after completing such service. I do not contemplate additional government service.

36. IF YOU ARE PRESENTLY IN GOVERNMENT SERVICE, DURING THE PAST FIVE YEARS OF SUCH SERVICE, HAVE YOU RECEIVED FROM A PERSON OUTSIDE OF GOVERNMENT AN OFFER OR EXPRESSION OF INTEREST TO EMPLOY YOUR SERVICES AFTER YOU LEAVE GOVERNMENT SERVICE?

No.

37. IS YOUR SPOUSE EMPLOYED? IF THE NATURE OF THIS EMPLOYMENT IS RELATED IN ANY WAY TO THE POSITION FOR WHICH YOU ARE SEEKING CONFIRMATION, PLEASE INDICATE YOUR SPOUSE'S EMPLOYER, THE POSITION AND THE LENGTH OF TIME THE POSITION HAS BEEN HELD. IF YOUR SPOUSE'S EMPLOYMENT IS NOT RELATED TO THE POSITION TO WHICH YOU HAVE BEEN NOMINATED, PLEASE SO STATE.

My spouse's employment is not related to the position to which I have been nominated.

38. LIST BELOW ALL CORPORATIONS, PARTNERSHIPS, FOUNDATIONS, TRUSTS, OR OTHER ENTITIES TOWARD WHICH YOU OR YOUR SPOUSE HAVE FIDUCIARY OBLIGATIONS OR IN WHICH YOU OR YOUR SPOUSE HAVE HELD DIRECTORSHIPS OR OTHER POSITIONS OF TRUST DURING THE PAST FIVE YEARS.

<u>NAME OF ENTITY SELF OR SPOUSE</u>	<u>POSITION</u>	<u>DATES HELD</u>
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None.

39. LIST ALL GIFTS EXCEEDING \$500 IN VALUE RECEIVED DURING THE PAST FIVE YEARS BY YOU, YOUR SPOUSE, OR YOUR DEPENDENTS. (NOTE: GIFTS RECEIVED FROM RELATIVES AND GIFTS GIVEN TO A SPOUSE OR DEPENDENT NEED NOT BE INCLUDED UNLESS THE GIFT WAS GIVEN WITH YOUR KNOWLEDGE AND ACQUIESCENCE AND YOU HAD REASON TO BELIEVE THE GIFT WAS GIVEN BECAUSE OF YOUR OFFICIAL POSITION.)

None.

40. LIST ALL SECURITIES, REAL PROPERTY, PARTNERSHIP INTERESTS, OR OTHER INVESTMENTS OR RECEIVABLES WITH A CURRENT MARKET VALUE (OR, IF MARKET VALUE IS NOT ASCERTAINABLE, ESTIMATED CURRENT FAIR VALUE) IN EXCESS OF \$1,000. (NOTE: THE INFORMATION PROVIDED IN RESPONSE TO SCHEDULE A OF THE DISCLOSURE FORMS OF THE OFFICE OF GOVERNMENT ETHICS MAY BE INCORPORATED BY REFERENCE, PROVIDED THAT CURRENT VALUATIONS ARE USED.)

<u>DESCRIPTION OF PROPERTY</u>	<u>VALUE</u>	<u>METHOD OF VALUATION</u>
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(See Schedule A of SF 278, attached)

41. LIST ALL LOANS, MORTGAGES, OR OTHER INDEBTEDNESS (INCLUDING ANY CONTINGENT LIABILITIES) IN EXCESS OF \$10,000. EXCLUDE A MORTGAGE ON YOUR PERSONAL PROPERTY UNLESS IT IS RENTED OUT, AND LOANS SECURED BY AUTOMOBILES, HOUSEHOLD FURNITURE OR APPLIANCES. (NOTE: THE INFORMATION PROVIDED IN RESPONSE TO SCHEDULE C OF THE DISCLOSURE FORM OF THE OFFICE OF GOVERNMENT ETHICS MAY BE INCORPORATED BY REFERENCE, PROVIDED THAT CONTINGENT LIABILITIES ARE ALSO INCLUDED.)

NATURE OF OBLIGATION	NAME OF OBLIGEE	AMOUNT
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(See Schedule C of SF 278, attached)

42. ARE YOU OR YOUR SPOUSE NOW IN DEFAULT ON ANY LOAN, DEBT OR OTHER FINANCIAL OBLIGATION? HAVE YOU OR YOUR SPOUSE BEEN IN DEFAULT ON ANY LOAN, DEBT OR OTHER FINANCIAL OBLIGATION IN THE PAST TEN YEARS? IF THE ANSWER TO EITHER QUESTION IS YES, PLEASE PROVIDE DETAILS.

No.

43. LIST SOURCES AND AMOUNTS OF ALL INCOME RECEIVED DURING THE LAST FIVE YEARS, INCLUDING ALL SALARIES, FEES, DIVIDENDS, INTEREST, GIFTS, RENTS, ROYALTIES, PATENTS, HONORARIA, AND OTHER ITEMS EXCEEDING \$500. (IF YOU PREFER TO DO SO, COPIES OF U.S. INCOME TAX RETURNS FOR THESE YEARS MAY BE SUBSTITUTED HERE, BUT THEIR SUBMISSION IS NOT REQUIRED.)

	1993	1994	1995	1996	1997
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SALARY	(information attached on separate page)				
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FEE ROYALTIES					
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DIVIDENDS					
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INTEREST					
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GIFTS					
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RENTS					
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OTHER-EXCEEDING \$500					
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TOTAL					
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44. IF ASKED, WOULD YOU PROVIDE THE COMMITTEE WITH COPIES OF YOUR AND YOUR SPOUSE'S FEDERAL INCOME TAX RETURNS FOR THE PAST THREE YEARS?

Yes, if it should become necessary to the Committee's consideration of my nomination and appropriate controls were placed on their dissemination.

45. LIST ALL JURISDICTIONS IN WHICH YOU AND YOUR SPOUSE FILE ANNUAL INCOME TAX RETURNS.

U.S. -- Federal
State of Virginia

46. HAVE YOUR FEDERAL OR STATE TAX RETURNS BEEN THE SUBJECT OF ANY AUDIT, INVESTIGATION OR INQUIRY AT ANY TIME? IF SO, PLEASE PROVIDE DETAILS, INCLUDING THE RESULT OF ANY SUCH PROCEEDING.

No.

47. IF YOU ARE AN ATTORNEY, ACCOUNTANT, OR OTHER PROFESSIONAL, PLEASE LIST ALL CLIENTS AND CUSTOMERS WHOM YOU BILLED MORE THAN \$200 WORTH OF SERVICES DURING THE PAST FIVE YEARS. ALSO, LIST ALL JURISDICTIONS IN WHICH YOU ARE LICENSED TO PRACTICE.

Although I am a licensed attorney, I do not practice law. I am an inactive member of both the Virginia State Bar and the District of Columbia Bar Association.

Insofar as services I provided during the last five years as a "professional" other than an attorney, I was paid in excess of \$200 for each of three teaching jobs I undertook in during 1996-1997: co-teaching the writing seminar in the National Security Studies Program at Georgetown University; teaching the winter term at Cambridge University; and teaching a series of classes on counterintelligence to employees of the Defense Investigative Service during the summer of 1997 pursuant to a government contract held by O'Gara Security Associates, McLean, Virginia.

48. DO YOU INTEND TO PLACE YOUR FINANCIAL HOLDINGS AND THOSE OF YOUR SPOUSE AND DEPENDENT MEMBERS OF YOUR IMMEDIATE HOUSEHOLD IN A BLIND TRUST? IF YES, PLEASE FURNISH DETAILS. IF NO, DESCRIBE OTHER ARRANGEMENTS FOR AVOIDING ANY POTENTIAL CONFLICT OF INTEREST.

No, I do not plan to establish a blind trust.

If confirmed, I have agreed to disqualify myself in writing from participating in any particular matter that would have a direct and predictable effect on any investments of mine, my wife, and my son in companies that have current contractual relationships with CIA. My deputy would be asked to take official action on any such matter. In addition, I will establish a screening arrangement to ensure that I do not take official action on any matter that would have a direct and predictable effect on my financial interests or those of my wife or son that are identified on Schedule A of my financial disclosure statement. I am advised by the Office of Government Ethics as well as the Office of General Counsel at the CIA that these actions satisfy the requirements of applicable law. In addition, I will take it upon myself, in the event I should ever find myself in the position of having to disqualify myself from participating in a particular matter, to advise the Committee in writing in advance of my taking such action.

49. IF APPLICABLE, ATTACH THE LAST THREE YEARS OF ANNUAL FINANCIAL DISCLOSURE FORMS YOU HAVE BEEN REQUIRED TO FILE WITH YOUR AGENCY, DEPARTMENT, OR BRANCH OF GOVERNMENT.

The SF 278 I am submitting in connection with this nomination is the only one I have filed within the last three years.

PART E - ETHICAL MATTERS

50. HAVE YOU EVER BEEN DISCIPLINED OR CITED FOR A BREACH OF ETHICS FOR UNPROFESSIONAL CONDUCT BY, OR BEEN THE SUBJECT OF A COMPLAINT TO, ANY COURT, ADMINISTRATIVE AGENCY, PROFESSIONAL ASSOCIATION, DISCIPLINARY COMMITTEE OR OTHER PROFESSIONAL GROUP? IF SO, PROVIDE DETAILS.

No.

51. HAVE YOU EVER BEEN INVESTIGATED, HELD, ARRESTED, OR CHARGED BY ANY FEDERAL, STATE, OR OTHER LAW ENFORCEMENT AUTHORITY FOR VIOLATION OF ANY FEDERAL, STATE, COUNTY, OR MUNICIPAL LAW, REGULATION, OR ORDINANCE, OTHER THAN A MINOR TRAFFIC OFFENSE, OR NAMED EITHER AS A DEFENDANT OR OTHERWISE IN ANY INDICTMENT OR INFORMATION RELATING TO SUCH VIOLATION? IF SO, PROVIDE DETAILS.

No.

52. HAVE YOU EVER BEEN CONVICTED OF OR ENTERED A PLEA OF GUILTY OR NOLO CONTENDERE TO ANY CRIMINAL VIOLATION OTHER THAN A MINOR TRAFFIC OFFENSE? IF SO, PROVIDE DETAILS.

No.

53. ARE YOU PRESENTLY OR HAVE YOU EVER BEEN A PARTY IN INTEREST IN ANY ADMINISTRATIVE AGENCY PROCEEDING OR CIVIL LITIGATION? IF SO, PROVIDE DETAILS.

No.

54. HAVE YOU BEEN INTERVIEWED OR ASKED TO SUPPLY ANY INFORMATION AS A WITNESS OR OTHERWISE IN CONNECTION WITH ANY CONGRESSIONAL INVESTIGATION, FEDERAL OR STATE AGENCY PROCEEDING, GRAND JURY INVESTIGATION, OR CRIMINAL OR CIVIL LITIGATION IN THE PAST TEN YEARS? IF SO, PROVIDE DETAILS.

No.

55. HAS ANY BUSINESS OF WHICH YOU ARE OR WERE AN OFFICER, DIRECTOR OR PARTNER BEEN A PARTY TO ANY ADMINISTRATIVE AGENCY PROCEEDING OR CRIMINAL OR CIVIL LITIGATION RELEVANT TO THE POSITION TO WHICH YOU HAVE BEEN NOMINATED? IF SO, PROVIDE DETAILS. (WITH RESPECT TO A BUSINESS OF WHICH YOU ARE OR WERE AN OFFICER,

YOU NEED ONLY CONSIDER PROCEEDINGS AND LITIGATION THAT OCCURRED WHILE YOU WERE AN OFFICER OF THAT BUSINESS.)

No.

PART F - SECURITY INFORMATION

56. HAVE YOU EVER BEEN DENIED ANY SECURITY CLEARANCE OR ACCESS TO CLASSIFIED INFORMATION FOR ANY REASON? IF YES, PLEASE EXPLAIN IN DETAIL.

No.

57. HAVE YOU BEEN REQUIRED TO TAKE A POLYGRAPH EXAMINATION FOR ANY SECURITY CLEARANCE OR ACCESS TO CLASSIFIED INFORMATION? IF YES, PLEASE EXPLAIN.

Yes. As a DoD official, I took a counterintelligence-scope polygraph examination in 1985 as a condition of access to certain special access program information. I took a CIA polygraph in June, 1996, when I became an independent contractor of the CIA's Center for the Study of Intelligence. The results of this examination were still valid when I was made Special Counsel to the DCI in September, 1997.

58. HAVE YOU EVER REFUSED TO SUBMIT TO A POLYGRAPH EXAMINATION? IF YES, PLEASE EXPLAIN.

No.

43

Response to Question 43. Sources of Income over \$500 for Last Five Years.

1993

Salary	\$119,250
Dividends	10,900
Interest	1,800
Fees/Royalties	0
Gifts	0
Rents	0
Other	0
Total	\$131,950

1994

Salary	\$126,900
Dividends	7,000
Interest	1,100
Fees/Royalties	0
Gifts	0
Rents	0
Other	0
Total	\$135,000

1995

Salary (includes U.S. Senate, Aspin-Brown Commission)	\$ 61,400
Federal Retirement	40,600
Dividends	9,200
Interest	800
Fees/Royalties	0
Gifts	0
Rents	0
Other (Capital Gain on sale of stock)	23,000
Total	\$135,000

1996 Federal Salary (Aspin-Brown Commission)	\$ 20,600
Federal Retirement Annuity	54,000
Contract (Center for Study of Intelligence)	20,000
Dividends	9,200
Interest	800
Fees/Royalties	0
Gifts	0
Rents	0

	Other (Speaking Honoraria Post-Government Employment)	1,500
	Total	\$106,100
1997	Federal Salary (since 9/97)	\$20,500
	Federal Retirement Annuity	55,600
	Earnings as Independent Contractor:	
	Contract (Center for Study of Intelligence)	10,000
	Georgetown School of Foreign Service (Co-taught writing seminar)	1,500
	O'Gara Security Associates (taught series of classes during summer)	3,000
	Speaking Honorarium	750
	Stipend provided as Mellon Scholar in American History Cambridge University	2,500
	Dividends	13,900
	Interest	0
	Fees/Royalties	0
	Gifts	0
	Other: Capital Gains on Distributions and Sales of Stock	22,000
	Total	\$130,000

Central Intelligence Agency



Washington, D.C. 20505

SSCI# 98-2494

W/98-0120

July 6, 1998

The Honorable Richard Shelby
 Chairman
 Select Committee on Intelligence
 United States Senate
 Washington, D.C. 20510

Dear Mr. Chairman:

As required by Federal ethics regulations at 5 C.F.R. § 2634.606, I am submitting the following supplemental information in connection with my nomination to serve as Inspector General to the Central Intelligence Agency.

As you know, section 2634.606(a) requires me to update my financial disclosure statement to list any outside earned income or honoraria that I or my spouse have received since I filed that statement on May 5, 1998. I have received no outside earned income or honoraria since that date; nor has my wife received any honoraria or earned income except her salary since that date. Accordingly, there are no amendments to my report of the type specified by section 2634.606(a).

Please do not hesitate to contact me if you need any additional information.

I have sent an original of this letter to Vice Chairman Kerrey as well.

Sincerely,

A handwritten signature in black ink that reads "L. Britt Snider".

L. Britt Snider
 Inspector General of the Central
 Intelligence Agency Designee

cc: John A. Rizzo, Esq.
 Central Intelligence Agency

The Honorable Stephen D. Potts
 Office of Government Ethics

62-829 02

Chairman SHELBY. Mr. Snider, your written testimony seems to suggest that you would broaden significantly the role and responsibilities of the CIA Inspector General. For instance, on page eight of your testimony you state that the IG "ought to be someone the DCI can turn to as an objective source of information and analysis." Then, on page nine you state that the IG's perspective "can and should be brought to bear on the decisions confronting the Agency's management." Presumably this refers to the full range of policy, programmatic and other decisions and issues facing the DCI.

In establishing the statutory CIA IG position, the Congress recognized the importance of having a full-time and independent Inspector General of the CIA. I don't believe it was the Committee's intent then, and I don't believe it would be wise now, however, to dual-hat that individual both as an IG and as a policy advisor to the DCI. I don't know of any other Inspector General who sought such expanded authorities or who routinely provides independent policy analysis or advice to his or her department or agency head.

The concern leads me to pose several questions. First, is my reading of your testimony accurate? I think that's important. That is, do you intend to serve as both Inspector General and as either formal or informal policy advisor to the DCI?

Mr. SNIDER. Mr. Chairman, I have no intent of asking for any more authority than what is given to me in the statute. I think it's a question of emphasis. I think the roles that the IG has are clearly set out in the statute and they clearly involve making recommendations to the DCI in terms of policies and programs that the Agency should follow. I think it's permitted under the statute already, and there's certainly no intent on my part to exceed what the statute provides.

Chairman SHELBY. In other words, it's your intention to serve as the IG of the CIA and nothing else, as delineated by the law; is that correct?

Mr. SNIDER. That's correct. But you should understand that in the course of carrying out audits, inspections and investigations we will come up with recommendations in terms of what policies or programs the Agency should adopt. Certainly that's legitimately within the scope of the law.

Chairman SHELBY. Has the DCI requested you or directed you to serve in both capacities?

Mr. SNIDER. No, he has not.

Chairman SHELBY. Is it your view that the IG does not have enough work to do already in following up on leads regarding possible criminal wrongdoing or other improprieties within the Agency—what I consider the baseline responsibility of the IG as established in the statute? Do you consider investigation of alleged wrongdoing and possible violations of the laws and regulations as a secondary obligation or a primary obligation?

Mr. SNIDER. I consider it the primary obligation. The investigations staff of the IG office investigates all allegations and complaints that it receives. I'm talking principally about the inspection staff, who carries out inspections of various CIA elements and programs, makes recommendations in terms of how they can be im-

proved. I'm not trying to exceed here the normal roles that the IG has.

Chairman SHELBY. Public law 104-293 established three Assistant Directors of Central Intelligence, or ADCI, positions to better manage and direct the intelligence community's activities. The DCI has refused to comply with this law, however, and until the recent failure to predict India's nuclear test argued strenuously against the need for these positions.

Do you agree that the DCI is violating the law as it relates to the ADCI positions, or should the current DCI or any DCI, for that matter, be allowed to selectively comply with existing public law?

Mr. SNIDER. Well, as a general proposition the DCI certainly needs to comply with the law. When this particular law was signed by the President, he expressed his intent or his disagreement with this particular provision in the law, and said at the time he signed the bill that he would seek repeal or a significant modification of that provision. I think in the time since that law was enacted the DCI has tried to find a compromise, a middle ground that he could take care of the concerns that the Committee had in creating these positions in the first place without creating additional confirmed positions. That has been his position since the beginning, really.

Chairman SHELBY. But if it's the law, shouldn't the Director carry out the law?

Mr. SNIDER. He should carry out the law, and if he's not satisfied with the law he should work to have it repealed.

Chairman SHELBY. If Congress makes a law, it would take Congress to repeal the law, would it not?

Mr. SNIDER. Correct.

Chairman SHELBY. As the Inspector General, if you're confirmed, would you undertake to investigate the DCI's refusal to comply with the law if we requested you to? You're very familiar with the subject matter.

Mr. SNIDER. I'm very familiar with it. The IG, as a matter of principle, would have to make his own determination of whether there was grounds that the law had been violated and whether this required an investigation of the Director.

Chairman SHELBY. Senator Kerrey.

Vice Chairman KERREY. Thank you very much, Mr. Chairman.

Mr. Snider, this is an unusual opportunity, it seems to me, if you are confirmed for this position. You in many ways wrote the statute creating this position. Is that fair to say?

Mr. SNIDER. That's fair to say.

Vice Chairman KERREY. We take credit for it and we're the ones that say we wrote it, but we turned to you at the time to write this particular provision.

The first question I have for you is, has it worked to your satisfaction? Has it produced beneficial results?

Mr. SNIDER. I think it has worked. I think it's made a world of difference in terms of the quality of the IG's work at CIA. I think the office itself is much more highly regarded, much more capable than it was before the statute was passed, and I think it's contributing more in the sense of recommendations for changes to policies and programs. Just in the investigations and audits that it undertakes it provides essentially lessons learned for CIA employees,

which I think overall and over time improve the quality of the work force and improve the quality of their performance.

Vice Chairman KERREY. It seems to me as I was watching you, I appreciate your praise for Mr. Hitz. He deserved praise, in my opinion. One of the reasons that Fred was effective is that he was willing to be sufficiently direct and, I think, honest in his evaluation that he reached a point where anybody was willing to take his advice about policy or anything. There was no question about any dual hat there because he let the chips fall where they may.

My own view of that is that's exactly what has to happen, because this is a unique agency in that we have withdrawn the public's right to know what's going on as a consequence of saying that national security requires secrecy to be maintained. So unlike other agencies, where I would say, for example, the United States Department of Agriculture—I'm on the Agriculture Committee—80 percent of my oversight is done by the public, the public's examination of what's going on at USDA, because they have a right to know everything that's going on out there. And their oversight provides me with very often the capacity to do my job, and the IG report is fully declassified at USDA, unlike yours, which would be classified.

We've looked at many IG reports that I've said I wish we could declassify this thing in some fashion, or at least a portion of it. So I wonder if you could speak to the uniqueness of the IG, given this relationship, and the need, as I see it, to be even more hard-edged in your evaluation of performance, and secondly if you could comment on this problem of not being able to produce a declassified document to the public, because I think the public does need to know in order for us to gain the support to do what needs to be done.

You were on the Aspin Commission, or Brown Commission, as it became. One of the problems that we had was we just couldn't generate the public support because the public didn't know, very often, what was going on. So this is a dog that's chasing its tail, and I think the IG needs to be strong and I think the IG every now and then needs to produce a report that's declassified in order for us to get the public support to make change happen.

Mr. SNIDER. Well, I would agree with you on both points, Senator. I think it's absolutely essential that the IG maintain his strength and independence. I was thinking about it the other day in terms of the Agency's own ethos. The Agency prides itself on providing the unvarnished truth to policymakers. It seems to me the IG prides itself on providing the unvarnished truth to management of the Agency, and it's got to stay that way.

In terms of your second point on declassification, I would simply agree and certainly commit to releasing as much or having as many redacted reports as we're able to do issued to the public. You have to realize—and of course this Committee knows better than anyone else—that our reports frequently involve classified information and particularly information relating to sources that we just simply feel like we have to protect. But ordinarily that kind of information is not of much interest to the public in any case. It seems to me that we should be able to produce as much as we can to inform the public not only of our activities but assure them how

things are being handled and how things are being treated at the Agency.

Vice Chairman KERREY. One of the problems that we have that is a sort of corollary problem that you've got with the IG function at CIA is that the public, as a consequence of secrecy as well, doesn't get the opportunity as we do to see that most, if not all, of the people who are working for these agencies are doing their job as a consequence of a patriotic instinct and a desire to help make their country safer. I mean, they don't get a chance to see the successes, and it's a harder job as a result, because you know that your comments, your report, can produce an adverse impact on morale.

Mr. SNIDER. I agree with that.

Vice Chairman KERREY. Again, as a person who helped write the statute, you know that the DCI sends a semiannual report to the Congress describing the work of the IG and that you're required to note significant problems with that report. Have you given any thought to what the definition of the word "significant" is?

Mr. SNIDER. Well, obviously it's going to involve an element of judgment of some kind, but clearly it seems to me reports that end up with significant recommendations in terms of policies and programs for the Agency, investigations that focus on high-level officials, investigations that concern violations of the law, the criminal law, it seems to me would qualify as significant enough to be included in the semiannual report.

The IG's office may well have criteria that it uses to make that determination, and frankly I don't know what they are, but I wouldn't be surprised if they were in existence. And if they are, I can certainly provide those to the Committee.

Vice Chairman KERREY. Mr. Chairman, I have just overrun the red light slightly. Earlier you used the phrase "unvarnished truth," and that's a phrase that I may even use from time to time. Unfortunately, it inaccurately describes what goes on. It is essentially "unvarnished judgments." That is to say these are human beings trying to make judgments to the best of their ability. As I understand the statute, Mr. Snider, whatever the policies are at the IG right now, I believe at the end of the day it's going to be your judgment as to what you think is or is not significant enough.

I think this Committee needs to have you err on the side of safety because the IG has really given us a good road map on ways to respond either with statutory or with other kinds of changes to make certain that this nation continues to get the kind of intelligence that keeps it as safe as possible, consistent always with the values of the people.

Mr. SNIDER. Is the Committee not satisfied with the current reporting, or is this just something that you want me to—

Vice Chairman KERREY. Oh, I'm satisfied. I'm personally satisfied with the current reporting. My comments dovetail a bit into what the Chairman was talking about earlier. I think one of the problems that you're going to have if you try to become a policy resource in any way, shape or form is that you may deteriorate your ability to be able to do mission number one, which is to provide objective, sometimes painful work as the Inspector General.

Mr. SNIDER. I don't mean to suggest anything more than in the context of the IG's responsibilities.

Vice Chairman KERREY. First of all, I think the instinct is good. I mean, I think your instincts are good there. It's difficult to do the one and not deteriorate your capacity to do mission number one, which to me is, unless you're able to be a forceful, objective Inspector General, the other role, the other possibility of providing some assistance to the DCI it seems to me is going to suffer.

The most important role you can play to help the DCI is to be a hardnosed Inspector General.

Chairman SHELBY. Do you want to comment on that?

Mr. SNIDER. I don't disagree with that.

Chairman SHELBY. You agree with what the Senator's saying?

Mr. SNIDER. Yes, I do.

Chairman SHELBY. Senator Allard.

Senator ALLARD. Thank you, Mr. Chairman.

We all know the Central Intelligence Agency is a large organization and has a lot of employees. Certainly there are areas that you have to watch a little more closely for improprieties and perhaps maybe in other areas there may be some mismanagement issues. Now a recent Committee review of the CIA's Office of Inspector General found a need for improved planning to ensure that all CIA directorates, offices, programs and activities receive adequate IG coverage. And the question that I pose to you in carrying out your responsibilities in that regard is, would you agree that it is essential that certain high-risk activities receive regular and reoccurring attention from the IG?

Mr. SNIDER. Absolutely. In fact, the system that's now in place in terms of deciding where inspections are going to be carried out, where audits are going to be carried out, takes this kind of a factor into account. What is a sensitive activity? Where do we need to place our efforts to ensure that these kinds of activities are receiving the attention they should?

At the same time, I think there's a need to have everyone in the Agency at least at risk that the IG will pay them a visit, and in fact as part of the planning process that I've been briefed on at the IG's office they go back and look at what components have had inspections or audits within the last year or two or three, whatever, and attempt to ensure that every element that we need to cover receives adequate coverage.

Senator ALLARD. So you have a plan in mind on how to reach these objectives?

Mr. SNIDER. There's a planning process that's been developed by the IG, which was instituted last year, and I think it was instituted largely as a result of the audit done by this Committee. It seems to me it makes sense to do it that way.

Senator ALLARD. What are you going to do with certain very sensitive cases where identities or projections are revealed that are Top Secret? How would you approach those?

Mr. SNIDER. Well, many of the things we do are very sensitive, and I think we have to be cognizant of what kind of information we are putting into our reports. I think to some extent you can minimize details that you don't need to put in the reports that are particularly sensitive. I think this is just a process that the IG has

to work through on each particular case he confronts without losing the message, without losing the substance and the facts that are important.

Senator ALLARD. I can understand sometimes in these situations you may not want something in written form, but I think perhaps in some instances it might be a good idea to keep the Chairman of the Committee and the Ranking Member of this Committee—they have a partnership now—to be apprised of some of these findings. Would you in that case approach them to do that?

Mr. SNIDER. I absolutely would. In fact, it has been the practice, as far as I'm able to determine, that the IG has brought significant matters to the attention of the Chairman and Vice Chairman of the Committee, whether or not they're included in semiannual reports or this sort of thing. And I would regard that as my responsibility as well.

Senator ALLARD. Even if the Director of the CIA decided, advises you not to talk to them, would you go ahead anyhow?

Mr. SNIDER. Not to come to the Committees?

Senator ALLARD. Yes.

Mr. SNIDER. I would come anyway. I regard that as a part of my responsibilities vis-a-vis the Committee, and I would certainly have to take into account his objections and talk with him about it, but I think in the end it's my decision in terms of whether I need to bring this to the Committee's attention.

Senator ALLARD. The Committee has actively pursued disclosure legislation to offer employees within the intelligence community who have concerns that involve classified information the same protections and opportunities to bring information to Congress as other government employees. What role, if any, do you believe the IG should play in the process of bringing employee concerns to the oversight committee?

Mr. SNIDER. Well, I think if the IG has employees in the Agency come to it with problems they want to bring to the two oversight Committees that the IG has a responsibility to facilitate that access in a secure way so we make sure that we don't have compromises of classified information or other problems that might be entailed or engendered by this kind of activity. So it seems to me we would take the necessary steps to ensure the Committee was apprised in a secure way, have the employee come here and brief people who are cleared for that information.

Senator ALLARD. Mr. Chairman, I see I have the red light. It seems like when I'm asking questions it goes so much faster than when everybody else does.

Chairman SHELBY. I'll yield whatever time you want.

Senator ALLARD. I'm finished, Mr. Chairman. Thank you very much.

Chairman SHELBY. Senator Robb.

Senator ROBB. Thank you, Mr. Chairman.

Mr. Snider, since you have been on this side of the table and our DCI has been on this side of the table, there's a high degree of confidence going in. A couple of general questions just in open session to give anyone who might be concerned about the close association that you have had and might in any way feel restrained about bringing something to your attention. What can you say at this

point—you've already addressed the fact that you are friends in two or three different ways—in terms of the availability that you would provide to members of the intelligence community and the Agency generally to seek you out independently.

Senator Allard made reference to the so-called whistleblower provisions that have been a focus of this Committee. And my own experience, I must say, with IGs, although I worked with your predecessor here, goes back to the early to mid-sixties in the military inspectors general and the way they work. And it was a more institutional type program where there were regular inspections and things that the IG would do on behalf of providing a sort of an ombudsman but it was much more transparent and the kinds of things that might be of concern were certainly much more transparent.

Most of the things, as you've suggested, are sensitive, highly classified, and in many cases there might be some reluctance on the part of someone to bring to your attention something that they thought was particularly sensitive in terms of the highest levels. What kind of visible separation or assurances can you suggest that might reinforce the view that you have already stated quite clearly that you would maintain in that area?

Mr. SNIDER. Well, Senator, the statute is actually a big help here. The statute provides that the IG will maintain the confidentiality of any employee who comes to him with a complaint or allegation, except to the extent that disclosure of that identity is necessary for the conduct of the investigation. It also happens to provide that the Agency will take no punitive action against any employee who comes to the IG with a complaint against management or whatever. So these are key elements, it seems to me, in the IG's ability to have people, have employees at the CIA come to it, feel like they can be treated in confidence, and will be treated fairly without suffering any repercussions.

The IG's office has itself made other efforts to educate employees in terms of what its responsibilities are, what it will do on behalf of employees to make sure that their complaints or allegations with regard to management are vetted completely and they are treated fairly, and I think the greater the understanding that we can create among employees as to what the IG's role is, the more apt they are to come to us with their problems and have some confidence in our ability to solve them.

Senator ROBB. That confidence certainly is enhanced over a period of time based on performance.

Let me ask you. You took a shot at the definition of "significant" that the Vice Chairman raised. "Flagrant" is also a term that can be debated, and there's a seven-day period that requires reporting. Could you give us some sense of how you would define the term "flagrant," as long as you're taking a shot at "significant?"

Mr. SNIDER. Well, this is another area that of course has been left to the judgment, to some extent, of the IG. I happen to have been working here on the Committee staff when this became an issue for Mr. Hitz. This was back when Senator Boren was chairman. And Mr. Hitz ended up sending a letter to the Chairman of the Committee in which he set forth in detail his definition of "flagrant." I happen to have worked the letter from this end, and in

fact for the Chairman, and we negotiated out an agreeable compromise, agreeable to the Committee.

You know, I would have to go back to read exactly what the specifics were of that letter, which I cannot entirely recall, but it had to do with criminal violations. It had to do with senior officials. It had to do with things that would be embarrassing to the Agency if they were disclosed—this sort of thing. In fact, I'll be glad to provide you a copy for the record, if you'd like, of that letter, which I think would be helpful here.

Senator ROBB. Those are the kinds of terms that, in doing a pathology later on, lawyers can dissect at some point, and to the extent that there is an understanding up front it can be useful.

Mr. SNIDER. And actually I find that that provision has been invoked very seldom in the eight years that it's been on the books, which is surprising to me. I would have thought it would have been invoked far more often than it has been.

Senator ROBB. Let me ask one more question, if I may, Mr. Chairman. In most instances—you talked about everyone, I think were your words, ought to feel at risk because the IG will be making his rounds from time to time and observing all kinds of operations. There are some types of operations that are more likely to have at least the potential for difficulties of all kinds, particularly the kinds that might be of particular interest to both the DCI and the IG.

Can you give some sense of the priorities in terms of your time that would relate not to problems that are specifically brought to your attention by someone within the Agency or outside the Agency or some other means, but what would you consider the kinds of problems that you would have to ferret out on your own or where you would have to put as top priorities for non-outside-initiated activities by the Inspector General's office?

Mr. SNIDER. Well, one example I would give you is financial accounting, accounting of covert funds that are paid to sources around the world. It seems to me—

Senator ROBB. That's exactly the kind of thing I had I mind.

Mr. SNIDER. It seems to me this is an area that, unless the IG stays on top of it and assures accountability, the potential for abuse, for improper activity is there. So I would offer that to you as one such case. Covert actions probably is another area that it seems to me you need to look at the accountability for finances and this sort of thing.

Senator ROBB. In other words, you would place at a higher value your time devoted to those kinds of activities as opposed to routine oversight of the entire agency?

Mr. SNIDER. Well, it seems to me we have to cover those kinds of sensitive activities first, and then, with the time and resources remaining, cover what else we should be doing. But yes.

Senator ROBB. I thank you. That sounds right on the money. I look forward to working with you and I thank you for your time.

Mr. SNIDER. Thank you.

Chairman SHELBY. Thank you, Senator Robb.

I have a few more questions I'd like to run through, Mr. Snider, just for the record. I assume you're familiar with the disclosure to Congress legislation that passed the Senate as a freestanding bill

and as part of the Intelligence Authorization Act for Fiscal Year 1999.

Mr. SNIDER. I am familiar with that.

Chairman SHELBY. In this regard, do you believe that the congressional intelligence oversight committees have an independent need to know information even if it's classified in the covered categories—for example, violations of law, false statements to Congress, gross mismanagement?

Mr. SNIDER. Yes, I do.

Chairman SHELBY. Do you believe that the Executive branch has the authority to withhold this kind of information from Congress?

Mr. SNIDER. Well, this is where it gets more complicated. I'm aware that the Justice Department has ruled that there is a constitutional problem here in that it doesn't adequately respect the President's prerogatives to control his employees and what they tell the Congress. I'm not in really any position to challenge that constitutional objection, but I've heard it's been lodged.

But, having said that, I'll just make a couple comments, if you would permit me.

Chairman SHELBY. Go ahead.

Mr. SNIDER. It does seem to me, number one, that it would be in everyone's interest for employees of the agencies to work through their established channels in coming to the Congress. I think it would even be in the congressional interest for that. But it also seems to me that employees who choose not to do that, who choose to come to the Congress directly, and so long as there's no security violations, as long as there's no disclosure of classified information, they ought not to be punished for having come to the Congress.

It seems to me these two oversight committees have a legitimate need to know this kind of information and the system has worked that way for most of the time I've been on the Committee staff, where employees who do come to the Committee without going through normal channels, they have been allowed to tell the Committees what they wanted and there's been no retribution by the Agencies for their having done so.

Chairman SHELBY. Do you believe, then, that an employee of an intelligence agency can be required to get permission to reveal classified information to this Committee in one of the covered categories that I mentioned?

Mr. SNIDER. I'm sorry. Can be required to—

Chairman SHELBY. Do you believe that an employee of an intelligence agency can be required to get permission to reveal classified information to this Committee in one of the covered categories I mentioned a minute ago, such as violations of law, false statements to Congress, or gross mismanagement?

Mr. SNIDER. Well, I think the Executive branch can always try to impose a requirement. Whether it's legitimate or not is another issue.

Chairman SHELBY. Do you share the Justice Department's legal opinion that the President has the exclusive power to determine whether national security information, including classified information, is made available to this Committee and, if so, how would you

resolve the inconsistency between this opinion and the CIA IG's duties and responsibility for keeping this Committee informed?

Mr. SNIDER. Well, Senator, I'm not sure I feel qualified to comment on the Justice Department opinion. I've never read it, in fact.

Chairman SHELBY. But you said earlier—and you've been on both sides of this as counsel to the Committee—that you believe basically, as I understood it, that it was incumbent on the intelligence agencies to keep this Committee informed.

Mr. SNIDER. Absolutely.

Chairman SHELBY. And shouldn't that be paramount?

Mr. SNIDER. I think that's absolutely paramount, yes, sir.

Chairman SHELBY. Thank you. The statute creating the office for which you've been nominated provides, "shall report directly to and be under the general supervision of the Director of Central Intelligence." How will your personal relationship with the DCI impact on your responsibilities and your ability to perform the duties as CIA IG? You alluded to that earlier, but I think this is important.

Mr. SNIDER. Well, I don't think it will have any bearing on carrying out my responsibilities under the statute. I have a responsibility to keep the Director fully and currently informed. I have a responsibility to report any flagrant abuses to him immediately. And I will carry out those responsibilities.

Chairman SHELBY. If the DCI, the Director of Central Intelligence, directs that you conduct an audit or an inspection of a certain agency program or component, are you obligated to do so, and do you believe that the IG has authority to establish your own priorities and schedules in terms of inspections, investigations or audits independent of DCI approval?

Mr. SNIDER. I think the IG has his own prerogatives to establish priorities. I mean, obviously what the DCI asks the IG to do would be given great weight, but it seems to me the IG ultimately has to decide where his resources and effort is going to be applied, and this would be something that you would hope to work out with the DCI, if the situation ever arose. But I think in the end, to answer your question, the decision has to be with the IG.

Chairman SHELBY. The statute, as I understand it, creating the CIA Inspector General—which you are very familiar with—gives the DCI the right to prohibit the IG from carrying out an inspection or investigation. Does that imply that he will be advised in advance of each review that you initiate? Will you advise this Committee if the DCI prohibits you from carrying out an inspection or investigation that you believe as Inspector General needs to be done?

Mr. SNIDER. Well, in answer to, I guess, your second question, I don't believe that it's really feasible to advise the DCI of everything the IG is doing in advance. I would certainly advise him of every significant activity that I was undertaking and any that had serious national security implications. But at any given point in time the IG's office has several hundred matters under investigation, inspection or audit. Many of those just simply don't rise to the level of getting a DCI advance approval before they're undertaken.

Chairman SHELBY. So it's on the threshold?

Mr. SNIDER. It depends on the threshold, and I think you could also be sure that any manager who is affected by an inspection,

audit, investigation or whatever will make sure that the DCI is advised that there is a problem here. They are certainly within their rights to do that, and we would then negotiate with the management of the Agency to try to work out an accommodation.

Chairman SHELBY. But if you have any trouble over at Langley, assuming you're over there, with the DCI prohibiting you—and I don't think he would—from getting into something, would you advise this Committee?

Mr. SNIDER. I would advise this Committee if I couldn't work it out with the DCI. I mean, there would certainly be the preliminary discussions, but if I couldn't work it out and I felt that it was needed, I would advise the Committee.

Chairman SHELBY. If a matter involved a circumstance wherein you focused on the DCI or the Deputy DCI personally, would you advise him before proceeding, and would you advise this Committee—if it was serious and it was personal?

Mr. SNIDER. Well, I think it would depend on a judgment in terms of whether advising the DCI or the DDCI would in fact jeopardize the investigation. If the investigation would be jeopardized by such disclosure, I don't think I would be under any obligation to advise him in advance.

Chairman SHELBY. As Inspector General of the CIA, this Committee expects you to have no personal financial holdings that would create a real or perceived conflict of interest or will impair you in any way from meeting all of your responsibilities. Do you have any such conflicts of interest and, if you do, what steps have you taken to ensure that you do not have a conflict of interest, and how will you ensure that you have no conflicts of interest in the future?

Mr. SNIDER. Senator, I have four stocks in companies that have contracts with the Agency. They are not contracts, it appears to me, the IG would ever likely investigate. They are relatively small holdings in the companies involved. This morning, in fact, I was notified by the Office of General Counsel in connection with the Office of Government Ethics that they had granted me a waiver, a conflict of interest waiver, under the statute which would allow, based on—as I understand it, based on their determination that the potential conflict of interest was insignificant in terms of affecting the integrity of the work of the IG, and that on that basis they have granted me a waiver under the statute which would allow me in fact to participate in any matter involving one of these companies should it ever come to pass.

I personally have a very hard time under the circumstances envisioning the IG ever looking at any of these contracts for the very simple reason they involve the provision of goods and services to the Agency which the Agency pays for as they are received. I'm told that two of them involve cars and trucks, the lease and sale of motor vehicles to the Agency. The Agency pays for them when they are delivered. The other two stocks involve communications firms that provide communications services to the Agency which the Agency pays for as they are used.

None of these are the sorts of contracts that the IG has historically looked into. I doubt that we would look into them in the future.

Chairman SHELBY. Mr. Snider, we appreciate your appearance here today. We appreciate your candor. Thank you very much.

Mr. SNIDER. Thank you, Mr. Chairman.

Chairman SHELBY. The Committee is adjourned.

[Whereupon, at 3:55 p.m., the Committee adjourned.]

COMMITTEE BUSINESS MEETING

TUESDAY, JULY 14, 1998

U.S. SENATE,
SENATE SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC.

The Committee met, pursuant to notice, at 2:54 p.m., in Room SH-219, Hart Senate Office Building, the Honorable Richard C. Shelby, Chairman of the Committee, presiding.

Committee Members Present: Senators Shelby, Chafee, DeWine, Kyl, Hatch, Allard, Coats, Kerrey, Bryan, Baucus, Lautenberg, and Levin.

Chairman SHELBY. The Committee will come to order. The Committee will now consider the nomination of Britt Snider to be Inspector General of the CIA. Rule 5.5 of the Committee Rules states: the Committee vote on confirmation shall not be sooner than 48 hours after the Committee has received transcripts of the confirmation hearing, unless the time limit is waived by the united consent of the Committee.

The transcript of Mr. Snider's hearing is not yet available. Therefore, at this time I ask unanimous consent that Rule 5.5 be waived so the Committee may vote on the nomination. Any objection?

[No response.]

Chairman SHELBY. Without objection, so ordered.

All those in favor of confirming Mr. Snider, say aye.

[A chorus of ayes.]

Vice Chairman KERREY. Mr. Chairman, just for the sake of the Rules—

Chairman SHELBY. Do you want to call the roll?

Vice Chairman KERREY. Well, no. We want the record to show we have all of our Members here. We have one Member out. I don't know who it is. He's out on the Floor.

Chairman SHELBY. We're going to call the roll. We need ten?

VOICE. Senator Coats is on his way in.

Chairman SHELBY. Okay. We don't have ten.

Vice Chairman KERREY. He's right outside.

Chairman SHELBY. Bring him in. I'm sorry. I appreciate that, Senator.

Senator CHAFEE. We're having a roll call?

Chairman SHELBY. We might as well. We'll leave the record open for the others, rolling. Nine doesn't make ten, does it, Senator?

Chairman SHELBY. There is a quorum established. The Clerk will call the roll. All in favor of confirming Mr. Snider, say aye. All opposed, no. Call the roll.

Mrs. MCGHEE. Mr. Chafee.

Senator CHAFEE. Aye.
 Mrs. MCGHEE. Mr. Lugar.
 Chairman SHELBY. Aye by proxy.
 Mrs. MCGHEE. Mr. DeWine.
 Senator DEWINE. Aye.
 Mrs. MCGHEE. Mr. Kyl.
 Chairman SHELBY. Aye by proxy.
 Mrs. MCGHEE. Mr. Inhofe.
 Chairman SHELBY. Aye by proxy.
 Mrs. MCGHEE. Mr. Hatch.
 Senator HATCH. Aye.
 Mrs. MCGHEE. Mr. Roberts.
 Chairman SHELBY. Aye by proxy.
 Mrs. MCGHEE. Mr. Allard.
 Senator ALLARD. Aye.
 Mrs. MCGHEE. Mr. Glenn.
 Vice Chairman KERREY. Aye by proxy.
 Mrs. MCGHEE. Mr. Bryan.
 Senator BRYAN. Aye.
 Mrs. MCGHEE. Mr. Graham.
 Vice Chairman KERREY. Aye by proxy.
 Mrs. MCGHEE. Mr. Kerry of Massachusetts.
 Vice Chairman KERREY. Aye by proxy.
 Mrs. MCGHEE. Mr. Baucus.
 Senator BAUCUS. Aye.
 Mrs. MCGHEE. Mr. Robb.
 Vice Chairman KERREY. Aye by proxy.
 Mrs. MCGHEE. Mr. Lautenberg.
 Senator LAUTENBERG. Aye.
 Mrs. MCGHEE. Mr. Levin.
 Senator LEVIN. Aye.
 Mrs. MCGHEE. Mr. Kerrey of Nebraska.
 Vice Chairman KERREY. Aye.
 Mrs. MCGHEE. Mr. Shelby.
 Chairman SHELBY. Aye.
 Mrs. MCGHEE. We have 18 ayes. Zero nays.
 Chairman SHELBY. The ayes have it. Mr. Snider will be favorably reported by this Committee, and we'll try to take it to the Floor as soon as possible.

[Whereupon, at 3:00 p.m., the Committee adjourned.]



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