

OLC R. 78-11. Response
COMPT 78-0747

1 AUG 1978

STAT

MEMORANDUM FOR: [Redacted]
Coordination and Review Staff
Office of Legislative Counsel

SUBJECT : Reducing the Number of Executive Branch
Reports to Congress

REFERENCE : Your Memorandum to Multiple Addressees,
dated 27 July 1978, Same Subject (OLC 78-2688/1)

The only change from the information reported last year relates to the Reserve for Contingencies. At the time releases from the Reserve are requested from the Office of Management and Budget, the Senate and House Appropriations Committees, the Senate Select Committee on Intelligence, and the House Permanent Select Committee on Intelligence are notified of the request.

STAT

[Redacted Signature]

Deputy Comptroller

- Orig - Addressee
- 1 - Compt. [Redacted]
- 1 - Deputy Compt.
- ✓ 1 - Compt. Subject
- 1 - Compt. [Redacted]
- 1 - BMG Chrono

STAT

O/Compt./BMG [Redacted] 31 July 78 (BMG/B)

STAT

COMPT
RECORD COPY

STAT

FY 78 Cong. Relations

CONF: 77-1161

Last year's response

27 JUL 1977

MEMORANDUM FOR: Legislative Counsel

ATTENTION :

SUBJECT : Reports Required by Congress from Intelligence Organizations

REFERENCE : Your Multiple Addressee Memorandum, dated 25 July 1977, Same Subject (OLC 77-3030) (U)

STAT

1. (U) The Office of the Comptroller submits a quarterly report on Budget Execution for CIARDS to the Chairman of the House Appropriations Committee in compliance with paragraph 52.3 of OMB Circular A-34.
2. (U) We also report releases from the Reserve for Contingencies as they occur. Committees on Appropriations in both Houses are notified at the time requests for release are sent to OMB. The Senate Select Committee and the House Armed Services Committee are notified after OMB has approved a release.
3. (U) Certain reprogramming actions are subject to the approval of the House and Senate Appropriations Committees and the Senate Select Committee based upon guidelines established by those committees. We do not, however, submit a reprogramming report as suggested in paragraph 2c of your memorandum.
4. (U) We do not believe these reports need be brought to the attention of the President. The CIARDS report is submitted because it relates to an open appropriation, and is a report required of all Federal Agencies. If the requirement in Circular A-34 is addressed by the Executive Branch, our reporting requirement would be subject to whatever action is taken. Seeking an exemption, or relief from reporting on the Reserve would cause controversy and attract more attention to something which already gets more than it needs.

STAT

Assistant Comptroller, Resources

WORKING COPY

~~DESTROY~~

RECORDED

Orig - Addressee

1 - Compt. 1 - Asst. Compt., Resources

1 - Compt. Subject File 1 - Compt. Reading File 1 - BIC Chron

O/Compt./BIC 27 July 1977

STAT

27 July 1978
OLC: 78-2688/1

MEMORANDUM FOR:

NFAC/CSS
 PCS/LOC
 DDA
 DDS&T
 IG
 OGC
 Comptroller

STAT

FROM:

[Redacted Name]

STAT

Coordination and Review Staff
Office of Legislative Counsel

SUBJECT:

Reducing the Number of Executive Branch Reports to the Congress

1. In July 1977 this Office was tasked with preparing for NFIB a coordinated listing of all standing requirements by Congress for reports by the Agency. The results are located under Tab A.

2. We have now been tasked to prepare for OMB a report, the subject of which is "Reducing the Number of Executive Branch Reports to the Congress." A copy of OMB's letter to this Agency outlining their request and the format they want us to use is located under Tab B. Your cooperation in making recommendations on those requirements that directly affect your Directorate or office would be greatly appreciated.

3. Since the report located under Tab A is one year old, please advise me if there are any additional reporting requirements for which you are responsible and/or if any of the reporting requirements have been canceled.

4. Your response back to the undersigned would be appreciated by 15 August 1978 so I can compile an Agency response. If you do not have any changes, recommendations or comments, a negative response would be appreciated.

STAT

[Redacted Signature]

Attachments:
As Stated

COMPT
RECORD COPY

~~SECRET~~

29 JUL 1977

MEMORANDUM FOR: John N. McMahon
Acting Chief, NFIB

FROM : Dr. Sayre Stevens
Acting CIA Member, NFIB

SUBJECT : Reports Required by Congress

REFERENCE : NFIB-18.1/3 dated 18 July 1977

1. (U) Types of Reports. Standing requirements for reports to Congress from CIA fall into three categories: those required specifically by statute; those required as a result of directives levied by the Office of Management and Budget, and those required by various committees of Congress pursuant to their assigned responsibilities.

2. (U) Statutory Requirements.

a. (U) The Case Act (1 U.S.C. 112b)

This Act requires that certain types of agreements with foreign governments be reported to the Senate Foreign Relations and House International Relations Committees. The determination as to whether agreements are reportable and the responsibility for reporting the agreements rests with the Department of State.

b. (U) Hughes-Ryan Amendment (22 U.S.C. 2422, Sec. 662)

This Amendment stipulates that no funds may be expended by the Agency for operations in foreign countries other than for intelligence collection, unless and until the President finds that each such operation is important to the national security and reports, in a timely fashion, a description and scope of such operations to the appropriate committees of Congress.

E.....IMPDET CL BY.....

~~SECRET~~

SECRET

c. (U) Freedom of Information Act (5 U.S.C. 552)

Section 552a(p) of this Act requires that a consolidated report be submitted by the President to the Speaker of the House and the President of the Senate, separately listing for each Federal Agency the number of records contained in any system of records which were exempted from the application of the Act during the preceding year.

3. (U) OMB Circular A-34 (para. 52.3). Pursuant to the above circular, the Office of the Comptroller submits a quarterly report on Budget Execution of the CIA Retirement and Disability System (CIARDS) to the Chairman of the House Appropriations Committee.

*DRP Financial
prepared - and
submitted*

4. (U) Periodic Committee Requirements.

a. (U) Qualifying provision of CIA Retirement Act of 1964. In the report of the House Armed Services Committee accompanying P.L. 94-522, the Committee directed that CIA analyze annually the application of the qualifying provisions found in Sec. 203 of the Act in designating participants and to report the results thereof to the Committee each year not later than October 1.

b. (C) National Intelligence Daily (NID). The NID is provided on a daily basis to the following Committees: Senate Armed Services, Senate Appropriations, Senate Select Committee on Intelligence, Senate Foreign Relations, House Armed Services, House Appropriations, House International Relations.

c. (U) Annual worldwide current intelligence briefings. These are prepared at the request of the seven Committees listed in 4, b above and are given orally each year, generally by the DCI.

d. (U) Annual briefing on Soviet and Chinese economies and military expenditures. These are prepared at the request of and given orally by the DCI to the Joint Economic Committee.

SECRET

~~SECRET~~

e. (U) Listing of Finished Intelligence Production. At the request of a staff member of the Defense Subcommittee of the House Appropriations Committee, a machine listing of all finished intelligence production is provided weekly to the staff member and he is shown documents he selects from the list.

f. (C) Releases from the Reserve for Contingencies. At the time releases are requested from the Office of Management and Budget, the Senate and House Appropriations Committees are notified of the request. When such releases are approved by the Office of Management and Budget, they are then reported to the Senate Select Committee on Intelligence and the House Armed Services Committee. ✓

g. (U) Other Committee requirements. In addition to the above standing requirements, a number of members, committees and staff levy requests on an ad hoc basis which include:

(1) (U) SSCI: Pursuant to its responsibilities under S.Res.400, the SSCI levies numerous requests for reports, documents and briefings on a large variety of Agency activities including finished intelligence, operational activities, activities involving American citizens, and abuses of authority.

(2) (U) House Appropriations Committee. This Committee has been conducting a number of investigations with respect to Agency activities and in connection therewith levies numerous requests for documents and special reports. +

(3) (U) International Organizations Subcommittee, House International Relations Committee. The Agency has provided a number of documents for review by staff members of this Subcommittee in connection with its investigation



25X1

~~SECRET~~

~~SECRET~~

(4) (U) Other Congressional Investigations. The Agency is currently in negotiations with a number of Committees which ultimately will lead to the provision to those Committees of a large number of documents and reports which bear on their investigations. Those Committees and the subject of their investigations are:

House Committee on Standards of Official Conduct -- [redacted]

25X1

House Select Committee on Assassinations -- Deaths of John F. Kennedy and Martin Luther King

Senate Foreign Relations Committee -- Activities of Foreign Intelligence Services in U.S.

Senate Ethics Committee --

[redacted]

25X1

(5) (U) Other Committees*: In addition to the above, the Agency provides briefings and reports as requested to numerous other Committees including:

House Select Committee on Narcotics Abuse

House Government Operations Committee

Senate Governmental Affairs Committee

Senate Human Resources Committee

Senate Commerce, Science and Transportation Committee

House Interstate and Foreign Commerce Committee

House Science and Technology Committee


~~SECRET~~

SECRET

(6) (U) Individual Members of Congress*:
This Agency receives a large number of requests for briefings, reports, and other data from many members of Congress and their staffs.

5. (S) Reporting requirements which should be brought to the attention of the President. The reporting requirements of paragraph 2, a and b should be brought to the attention of the President. With respect to reporting under the Case Act, those agreements are considered to be among the most sensitive of Agency matters and their compromise could seriously affect the activities involved, including the cessation of the activity and the rupture of relations with the other party to the agreement. With respect to the requirements of the Hughes-Ryan Amendment, at the direction of the President, the DCI is required to brief seven Committees (more than 60 members) and their staff chiefs on all covert action operations conducted by the Agency. These activities also are among the most sensitive of Agency activities and their compromise would lead to the cancellation of a particular operation and could cause serious problems with the governments of the country or countries involved.

STAT


Dr. Sayre Stevens

* During the first six months of 1977, the Agency serviced over 700 such requests and made available nearly 2,000 documents, both classified and unclassified.

SECRET

R
OLC #78-2688

BULLETIN NO. 78-16

June 30, 1978

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Reducing the Number of Executive Branch Reports to the Congress.

1. Purpose. This Bulletin provides instructions for the identification of possibilities for elimination, consolidation, or other modification of recurring reports to Congress whether required by law or by request.

2. Background. The President intends to make recommendations to Congress for simplifying and improving the flow of information between the Executive and Congress. The General Accounting Office is working with staff of Congressional committees to review executive branch reports to Congress and will inform OMB of reports it believes can be simplified or eliminated. Agencies have already provided GAO with summary information about their reports to Congress. These may be useful in preparing the materials now required. OMB will forward to GAO recommendations resulting from each department and agency review. The President will make his recommendations to Congress on proposals for change after full coordination and consultation with the departments and agencies, GAO and the Congressional committees.

3. Material required. Material should be presented in the following format:

<u>Report Title</u>	<u>Statutory Authority*</u>	<u>Frequency</u>	<u>Recommended Change</u>	<u>Principal Reason for Recommendation</u>
---------------------	-----------------------------	------------------	---------------------------	--

*Date of original request if not required by statute.

Material should be sent within sixty days of receipt of this Bulletin to Stanley E. Morris, Deputy Associate Director for Regulatory Policy and Reports Management, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, D.C. 20503.

4. Attachment. Attached is a sheet listing suggested criteria for use in review of Reports to Congress.

5. Notification and inquiries. Please notify Mr. Robert Raynsford on 395-3814 of the officials in your agency who will be responsible for this review. Inquiries concerning this Bulletin may also be directed to Mr. Raynsford.


James T. McIntyre, Jr.
Director

Attachment

CRITERIA FOR USE IN REVIEW OF REPORTS TO
CONGRESS

- I. Possibilities for Simplification
 - A. Consolidation of Several Reports
 - B. Reduction in reporting frequency
- II. Duplication and Overlap with Other Reports
 - A. Information provided to Congress by agency in another form
 - B. Information provided by other agencies or the public
- III. Reporting burden and other costs
 - A. Cost/Burden to reporting agency and other Federal agencies
 - B. Cost/burden of information collected from outside the Federal Government
- IV. Uses
 - A. Use to reporting agency
 - B. Use to Congress in opinion of agency
 - 1. Original rationale for requiring report
 - 2. Is this rationale still valid?
 - 3. Is there some evidence on actual use of information by Congress?