

4/4/72

A. Pending session with Nedzi and company.

1. Vietcong and North Vietnamese troop strengths -- Adams, Graham, and Hall et al.
2. Recruiting, training and retention of personnel.
3. Internal organization and domestic operations of CIA (Hersh questions).
4. Laos and Cambodia operations; Thai irregulars.
5. Classification and protection of information affecting the national security (H. R. 9853 - the Hebert bill of the last Congress.)
6. Police training and the Koch correspondence.

B. Representative Edward I. Koch (D., N. Y.) is seeking cosponsors and support among his colleagues in the House for legislation to amend the National Security Act of 1947 to prohibit the Central Intelligence Agency from providing training or other assistance in support of state or other local law enforcement activities.

C. House Government Operations Committee

1. McCloskey resolution to investigate Agency involvement in political affairs of foreign governments.
2. Moorhead Subcommittee, Government Information and Foreign Operations, continuing hearings on E.O. 11652 concerning classified information. This Subcommittee will want testimony and review of Agency regulations on the Executive Order.

D. House Appropriations Committee

1. As of the moment, status of the Appropriations Committee Special Group and procedures for handling Agency budget and question is unresolved.
2. Defense Subcommittee continuing disaffection with DIA/ General Graham's published comments.
3. Community budget review/tactical intelligence costs hangup.
4. Agency budget hearings/reserve fund and withdrawals.

E. House Foreign Affairs Committee.

1. Increased involvement in foreign policy during the coming session will result in increased demands on the Agency for briefings of subcommittees and individual members.

F. House Ways and Means Committee

1. Proposed legislation to provide tax exemption for disability payments under CIARDS.

G. House Post Office and Civil Service Committee

1. Dulski bill to require Commission report 1 July 1973 rather than 1 January 1974 on executive pay.
2. Ervin bill for the protection of constitutional rights of Federal employees at such time as it is sent over from the Senate.

H. House Judiciary Committee.

1. H. R. _____ to prohibit the use of polygraphs.
2. Codification of the Federal criminal laws.
3. Agency sponsored private bills.

I. Legislative proscriptions on Agency activities such as the Badillo bill, H. R. 8371, and the Church bill, S. 1887, which would prohibit CIA participation in guerilla warfare.

J. Senate Foreign Relations Committee

1. Continuing Multinational Corporation Subcommittee hearings.
2. Disarmament Subcommittee hearings on nuclear testban (May and June).
3. Hearings on world energy situation.
4. Committee request for NIE's and NIE 5.

REQUEST FOR NIE 5

BY SENATE FOREIGN RELATIONS COMMITTEE

22 June 1972

JGO received a call from Bob Blum, who requested NIE 5 of December 1950 in connection with his studies on Vietnam. JGO advised him this was a matter for the NSC.

20 July 1972

Blum called JMM and said that based on his conversation with JGO, he had written the White House for the NIE but was informed by Bill Timmons that the originator, the DCI, had them and Fulbright should direct his inquiry to us. JMM told Blum that the matter would be discussed with the Director.

21 July 1972

JMM talked to John Lehman about Blum's call. Lehman said White House would probably draft a letter for DCI's signature refuting Fulbright's request.

24 July 1972

Lehman called JMM. Lehman talked to David Young and Young claimed that NIE's were subject to the ten year declassification rule. Lehman was appalled. Lehman urged that Larry Houston find a basis for an exception.

17 August 1972

LLM talked to Blum. Told him that we could not release NIE 5 that serious obstacles over outside access to NIE's. Blum thought this was inconsistent since the NSC permitted him access to NSC memoranda. He also said the NIE had been declassified in the Pentagon Papers, which LLM said he doubted.

18 August 1972

JMM called Col. Richard Kennedy, White House staff, and explained problem of persistent requests from the Committee, told him that we understood that a letter from David Young to Fulbright referring him to us had been sent but we were unsuccessful in getting a copy. JMM wanted to know if the White House wanted the NIE released, or if not, would they back us up by invoking executive privilege. Kennedy said this was David Young's problem. JMM said he would call Young.

21 August 1972

JMM called David Young. Young said no letter or response to Fulbright was ever made by him, but he felt that under the new Executive Order we could not exclude national estimates from declassification. JMM pointed out uniqueness of estimates and problem of sources and methods. Young said this would not make it his problem and we should take it up with John Dean or John Lehman.

13 September 1972

LIG meeting--JMM raised problem and need to maintain NIE's in Executive. A guidance letter from the President to the DCI was suggested as helpful in the Director's handling of congressional requests. John Lehman asked that we draft such a letter and send it to them for their consideration; JMM agreed.

OLC immediately prepared a draft and sent to OGC. OGC is preparing a draft which OGC is coordinating with ONE and when prepared will be submitted to USIB for its approval and then for submission to the White House.