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United States Senate

COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS
(PURSUANT TO S. RES. 111 AND S. RES. 72, SEC. 6, 94TH CONGRESS)
WASHINGTON, D.C. 20510

September 11, 1975

Mr. William E. Colby, Director
Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Colby:

Executive Order 11490, issued on October 30, 1969, assigns emergency preparedness functions to various departments and agencies.

In the course of hearings on surveillance technology, my Judiciary Subcommittee on Constitutional Rights and my Commerce Subcommittee on Science and Technology have been unable to determine whether your Agency -- as part of its responsibilities under the Executive Order or as a result of a more general duty to remain operational in times of emergency -- maintains files of personal information on American citizens in secret repositories.

The Director of the Federal Preparedness Agency testified on September 9 that he has only supervisory responsibility over the preparedness activities of other Federal agencies and that he does not really know what your Agency maintains on individuals for use in emergencies.

Thus, I am writing to you in order to obtain definitive answers to questions concerning the kinds of personal information that you keep in secret locations and the kinds of safeguards that exist to protect the privacy and Constitutional rights of the subjects of the files.

Does your Agency, in fact, maintain personal information on American citizens for use during emergencies?

If so, describe the nature, purpose and amount of such information.

OLC 75-11346

Executive Registry

75-11346

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William E. Colby
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Does your Agency keep such information in secret locations?

If so, will the files or systems that contain the information be reported by September 27, 1975, as required under the Privacy Act of 1975?

Please discuss whether, and under what conditions, the personal information that your Agency maintains for these purposes can be combined, either electronically or manually, with similar information from other agencies.

If your Agency maintains personal information on American citizens in secret locations for use during emergencies, describe the safeguards that exist to protect the security of the information and the privacy of the subjects of the files.

I appreciate the careful consideration you give to this issue. I look forward to your response before ~~September 27, 1975.~~

Sincerely,



John V. Tunney
Chairman

JVT/dlm

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OPC

See file

EXECUTIVE SECRETARIAT
Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI				
3	S/MC				
4	DDS&T				
5	DDI				
6	DDA		X		
7	DDO		X		
8	D/DCI/IC				
9	D/DCI/NIO				
10	GC		X		
11	LC	X			
12	IG				
13	Compt				
14	D/Pers				
15	D/S				
16	DTR				
17	Asst/DCI				
18	AO/DCI				
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SUSPENSE		24 September			
		Date			

Remarks:

Please prepare response for DCI's signature.

[Redacted]

09/12/75
 Date