

*Justice*

*ole 75-0241*

10 February 1975

The Honorable Laurence H. Silberman  
Deputy Attorney General  
Department of Justice  
Washington, D. C. 20530

Dear Larry:

As the staff of the Criminal Division moves further into its investigation of certain matters arising out of activities of this Agency and as we provide more and more detail for staff study and examination, we find a few sensitive areas we think are subject to the development of some agreed-upon ground rules.

Your staff in pursuing its independent investigation will inevitably be acquiring extremely sensitive information, in particular, the names of CIA employees, agents, contacts and sources, in materials being made available by this Agency.

I know the staff of the Criminal Division has developed a special regard for these sensitive items and the fact that they must be protected against disclosure. However, I remain statutorily charged with the responsibility to protect intelligence sources and methods from unauthorized disclosure. Accordingly, I seek your cooperation in assisting me to carry out this responsibility.

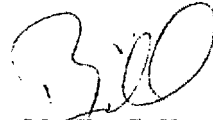
For this purpose the Agency has developed some important procedures governing the handling of sensitive information being provided to the Department, and I would hope you could agree to and accept these procedures. They are similar to the procedures agreed upon between the Agency and the President's Commission on CIA Activities Within the United States.

I have no aim to deny you any relevant information. I only insist that special protection be given to certain materials and information, the exposure of which would be in derogation of my responsibility to protect intelligence sources and methods.



A copy of the proposed agreed procedures is enclosed. I would appreciate your concurrence in their use.

Sincerely,



W. E. Colby  
Director

Enclosure

OGC:JSW:sin

Original - Addressee (Handcarried by WEColby & JSWarner 2/10/75)

- 1 - DCI
- 1 - SA/DCI
- 1 - DDO
- 1 - IG
- 1 - OLC
- 1 - ER via Ex Secty
- 1 - OGC

AGREED PROCEDURES ON THE HANDLING OF CIA MATERIALS BY THE  
CRIMINAL DIVISION, DEPARTMENT OF JUSTICE

In meeting requests of the Criminal Division for information concerning various CIA activities under investigation, CIA will provide folders containing materials responsive to the requests.

As a general rule, the folders will contain no names except those of well-known individuals. In place of names, the text will carry the word "Iden," followed by a number.

The withholding of names is solely for security purposes, designed to avoid consequences of disclosure of sensitive intelligence operations or sources, or to protect the cover status of various individuals and organizations.

To meet this concern and at the same time facilitate Criminal Division's review, CIA will forward to the Division a separate listing which will be a break-out of the numbered Idens.

There will be three categories in the break-out listing. One will be those names which involve no unusual sensitivity, but whose identity should be protected. An example would be an employee presently holding a non-sensitive assignment at Headquarters, but who has in the past been assigned overseas under cover or who may be so assigned in the future. A second will be the names of those of special sensitivity, particularly

cover, Such names will be asterisked, it being understood that interviews of them may require special arrangements and circumstances. The third category will involve those whose status is so sensitive that a break-out cannot be provided. In these cases, representatives of the Criminal Division and the CIA Office of General Counsel will consult if the Division requires the true identity.

The Criminal Division will file the break-out lists separately from the activity folders to which they relate.

Because of their extreme sensitivity, the break-out lists will be considered to be on loan to Criminal Division and will be returned to CIA upon completion of the Division's work. CIA will retain the lists so that they can be made available should there be a requirement to re-open the investigation.