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Journal - Office of Legislative Counsel
Wednesday - 25 May 1977

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77-0248/30

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10. [redacted] LIAISON Received a telephone call from Robert B. Boettcher, Staff Director, Subcommittee on International Organizations, House International Relations Committee, who wanted to come to the building this afternoon to review [redacted] earlier. I told him I would have to check back to see if the information would be ready for him and I did this with [redacted] where I was informed the information would not be ready until 26 May. I called Boettcher back and advised him of this, indicating he could review the files as early as 26 May if this would be convenient for him. Boettcher advised me that he and Mike Hershman, Deputy Staff Director of the Subcommittee, were going out of town the following day and would be away for the rest of the week. We agreed that he would call me later in the day to set up a date for one day next week.

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11. [redacted] LIAISON After checking with the [redacted] I telephone Mike Epstein, ~~Senate Select Committee on Intelligence~~ staff, to inform him that the practice of copying entire documents verbatim by typewriter is not acceptable, but that he is welcome any time to make normal notes from the Agency's [redacted] files. I told Epstein that a decision had been reached at the highest level of the DDO that the documents in which the Select Committee is interested cannot be given to the Select Committee in their entirety, first because they are extremely sensitive, and secondly, because we are dealing with several committees and subcommittees of the Congress plus the Department of Justice on this same material. We have established ground rules with these groups which stipulate the taking of normal notes only. Since we feel we must treat with all the groups equally, Epstein should reckon with only the taking of normal notes. Epstein said that he would check the matter with Staff Director, Bill Miller, and come back to me later. I reported the foregoing to [redacted] and George Cary, in that order.

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24. [redacted] LIAISON Met with Anne Karalekas, ~~Senate Select Committee on Intelligence~~ staff, who informed me that she and John Elliff, also of the Committee staff, had prepared a memorandum regarding our 17 May meeting on CIA and Department of Justice reporting to the Committee on intelligence activities involving Americans. Karalekas wants the memorandum to be the basis for further discussions on this matter.

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25. [redacted] BRIEFING Bill Jordan, Senate Appropriations Subcommittee on Foreign Operations staff, called to check on the possibility of having so-called S. Res. 60 staff members (those staffers on the staffs of individual members of this Subcommittee) sitting in on the Director's briefing of this Subcommittee on 7 June. I discussed with Jordan the implications of this situation, especially as it related to compartmented information. I told him I would check with [redacted] Congressional Support Office, concerning the classification level of the briefing and be back in touch with him.

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After checking with [redacted] I told Jordan that we could pitch the briefing at whichever level Chairman Daniel Inouye (D., Hawaii) wished and it was decided that we would go ahead with the briefing at a non-compartmented level with S. Res. 60 staff members in attendance. Jordan said that if any of the questions required answers at the compartmented level, Chairman Inouye would clear the room of these S. Res. 60 staffers.

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26. [redacted] LIAISON John Waller, IG, called to advise me that he had updated his "IOB report" for passage to the Senate Select Committee on Intelligence and we discussed the problem of getting an answer from Robert Lipshutz, Counsel to the President, on this subject. I conferred with Tony Lapham, General Counsel, about updating his presentation as well and the Lipshutz problem. Lapham said he was discussing this situation with the Department of Justice in the hope that they could facilitate a response to the question we had raised with Lipshutz regarding "IOB-type reporting" to the Select Committee, as well as reports on intelligence agreements pursuant to the Case Act.

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27. [redacted] BRIEFING Accompanied the Director, William Wells, DDO, [redacted] Congressional Support Office, and [redacted] of this office, to a briefing of the Subcommittee on Intelligence and Application of Nuclear Energy, House Armed Services Committee. (See [redacted] Memorandum for the Record.)

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ADDENDUM TO JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Tuesday - 24 May 1977

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77-0248/29

1. (Internal Use Only - PG) LIAISON As agreed, Robert B. Boettcher, Staff Director, Subcommittee on International Organizations, House International Relations Committee, and Michael J. Hershman, Deputy Staff Director, arrived at visitors' reception at 0930 this morning. They were placed in contact with [redacted]

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[redacted] and interviewed him for approximately four and one half hours. We had luncheon together in the building and Boettcher and Hershman left shortly after 3:00 p.m. (See Memorandum for the Record.)

2. (Internal Use Only - PG) LIAISON Received a telephone call from Michael Epstein, Senate Select Committee on Intelligence staff, inquiring about the status of notes taken by Epstein on [redacted] documents made available to him. These "notes" were in fact verbatim copies of documents made by an SSCI stenographer together with Epstein and the "notes" had been withheld by [redacted] until a determination could be made as to whether Epstein can have his "notes". I inquired of [redacted] and found that a decision in this matter must await the return of [redacted] [redacted] on the morning of 25 May. I got back to Epstein and advised him that I would have a decision for him prior to COB on 25 May.

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3. (Unclassified - RJK) LIAISON Spoke with Greg Moore, in the district office of Representative Charles H. Wilson (D., Calif.), in connection with a request from the Congressman concerning "discretionary grants" available to the public from the Agency. Moore explained that what is meant by this term are funds available to the head of an agency to use at his discretion or for contingencies. He apologized for the lack of clarity in the letter. I explained to him that Agency funds were reviewed by appropriate committees of Congress but were not disclosed to the public. He requested that we state that in our response to the Congressman and I said we would do so.

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6. (Internal Use Only - RJK) LIAISON Accompanied Mark Gitenstein and David Bushong, Senate Select Committee on Intelligence staff, to a meeting with [Redacted] OS/SSC. The purpose was to review selected reports of damage assessments from leaks to the media. I also showed them a paragraph on the bigot list procedure and an Agency regulation on the marking of classified information. Gitenstein had asked for these items at an earlier meeting with Robert Gambino, D/OS. Gitenstein indicated that Senator Daniel Inouye (D., Hawaii), Chairman of the Committee, has asked him to get completely informed on the Boyce-Lee case and Gitenstein requested a copy of the Agency damage report. Mr. Gambino's office has been advised of this request. The two items that they reviewed will be forwarded to the Committee by courier.

7. (Internal Use Only - RJK) LIAISON Spoke with Dan Coulson, Congressional Relations, FBI, concerning the status of the clearances for John W. Nields, House Committee on Standards of Official Conduct staff. Coulson indicated that because a Memorandum of Understanding had not yet been signed by the Bureau and the Committee, no action was being taken on clearances of any staff members. He indicated that the Bureau had provided Nields with everything that he needed to commence a working relationship but that Nields did not seem interested in cooperating.

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[Redacted Signature]

Acting Legislative Counsel

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cc:
DDCI
[Redacted]

- Ex. Sec.
- DDA DDI DDS&T
- Mr. Lapham
- Mr. Hetu
- SA/DO/O
- IC Staff
- Comptroller
- NIO

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5. [Redacted] LIAISON Met with Messrs. Gordon Malfeldt and Frank Frauson, FBI, at their offices to discuss the FBI Public Tour Program as an input to the Agency OUTREACH program. The dimensions of the FBI tours are staggering. Five thousand people per day tour the facility. An additional 500 people per day tour the facility under the Congressional tour program with each Congressional office permitted an unlimited number of "reservations." (See Memorandum for the Record.)

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6. [Redacted] LIAISON Met with Stan Taylor, Senate Select Committee on Intelligence staff, on several matters. Taylor gave me an itinerary of Senator Jake Garn's (R., Utah) trip to Mexico. Senator Garn wants an intelligence briefing on Mexico [Redacted]

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31 May. Senator Richard G. Lugar (R., Ind.) will probably also attend both the meetings.

I told Taylor I would have a NIE on Mexico and a DDI report on narcotics to him on Monday as he requested.

Taylor informed me he had been requested by the Committee to prepare an analysis of the recent Agency study on Soviet oil production. This will become part of the overall study of the Subcommittee on Collection, Production and Quality regarding the quality of intelligence.

Taylor and I discussed further arrangements for the lecture at the Agency for a group of interns from Brigham Young University. We are offering to provide bus service for the students and Taylor agreed to provide me a list of those attending.

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7. [Redacted] LIAISON Accompanied Elliot Maxwell, Senate Select Committee on Intelligence staff, to a lecture before the Senior Seminar on new intelligence charters. Most of the questions centered on the proposed structure of the Intelligence Community, particularly the post of Director of National Intelligence.

Maxwell gave me draft secrecy agreements to cover Committee staff access to compartmented information.

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19. [redacted] LIAISON Received from Evelyn Chavoor, Senate Select Committee on Intelligence staff, a copy of Senator Daniel K. Inouye's (D., Hawaii) 2 May 1977 address before the American Society of Newspaper Editors entitled "The American Intelligence Community and its Future".

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20. [redacted] ADMINISTRATIVE - DELIVERIES Delivered to Martha MacDonald, Senate Select Committee on Intelligence staff, an interim response to Senator Charles McC. Mathias (R., Md.) concerning his inquiry from constituent [redacted] I asked Ms. MacDonald to be sure that Jean Evans, also of the Committee staff, sees the response and she said that she would.

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21. [redacted] LIAISON Met at length with John Elliff, Senate Select Committee on Intelligence staff, to discuss the activities of the Subcommittee on Intelligence and the Rights of Americans. Elliff has assumed the principal staff role of this Subcommittee. Elliff cited the Committee's 3 November 1976 letter to the Attorney General asking for regular detailed information on FBI activities and indicated that such a request would be forthcoming to CIA. In order to work out some of the details in advance, however, he, Anne Karalekas and Mike Epstein, also of the Committee staff, are meeting with Tony Lapham, General Counsel, and DDO officials on 19 May to discuss the Committee's interest. The Subcommittee wants to assure that it understands the standards and procedures for counterintelligence investigations involving Americans, clandestine collection operations involving Americans, and the use of American citizens for intelligence operations. In addition, the Subcommittee wants to assure that it has adequate information to insure that the standards and procedures are being adhered to.

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22. [redacted] EMPLOYMENT REQUESTS Received a call from the office of Senator William S. Cohen (R., Maine), regarding a constituent request for information on employment with the Agency. Employment brochures were forwarded to his office.

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Guideline

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26. [redacted] BRIEFING Called Jack Ticer, Senate Armed Services Committee staff, and confirmed the Soviet civil defense briefing of Chairman John C. Stennis (D., Miss.) and Frank Sullivan, Chief Counsel, to be given by [redacted] in Senator Stennis' office at 9:00 a.m. tomorrow. Called Rhett Dawson, of the Committee staff, and arranged for [redacted] and me to brief him on the recent intelligence on Soviet basement shelters following [redacted] briefing of the Chairman. This is a detailed follow-up to the information I had given to Dawson last week.

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I asked Dawson if he could give me a rundown of the authorization figures on Defense intelligence programs in the Defense Authorization bill as reported by the Senate Armed Services Committee. He said he would dig them out and get them to me in a day or two. The figures were requested by [redacted] OLC, for the Intelligence Community staff.

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27. [redacted] LIAISON Called Jackie Johnson, in the office of Representative William F. Walsh (R., N.Y.), and discussed further with her the Boyce/Lee trials in Los Angeles. Ms. Johnson was trying to respond to a constituent who had written Representative Walsh expressing concern about espionage against the U.S. No further action is required.

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28. [redacted] LIAISON Anne Karalekas, Senate Select Committee on Intelligence staff, called to inquire about the status of the Select Committee's request for information on incidents reported to the Intelligence Oversight Board. I told her we had not yet heard from the White House on the matter and she indicated the Committee may want to deal directly with the White House on this.

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29. [redacted] LIAISON Talked to Bill Miller, Staff Director, Senate Select Committee on Intelligence, and Danny Childs, Senate Select Committee on Intelligence staff, regarding the Committee's work on the Budget Authorization bill. At the end of the day Childs was able to give me on the secure phone a broad outline of the Committee's action on the President's budget request.

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12. [redacted] LIAISON Jack Brady, Chief of Staff, House International Relations Committee, called to say that a member of the National Security Council staff had informed Representative Elizabeth Holtzman (D., N.Y.) that the Agency sent the National Intelligence Daily (NID) to the House International Relations Committee along with six other committees of the Congress and Mrs. Holtzman's office has now queried him as to its availability for Mrs. Holtzman's review. (See Memorandum for the Record.)

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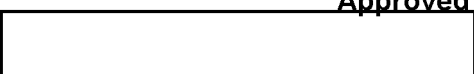
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14. [redacted] LIAISON [redacted] and I had lunch with Sam Hoskinson, NSC staff, and reviewed a number of items of current interest between our two offices, including the President's meeting with the House leadership tomorrow and his meeting with the Senate Select Committee on Intelligence on Friday. We also talked about the fact that we have yet to receive a response from Robert Lipshutz, Counsel to the President, regarding the Intelligence Oversight Board and Case Act queries we had made to him. We also advised Hoskinson of our relationships with the Subcommittee on International Organizations, House International Relations Committee, the House Committee on Standards of Official Conduct and the House Select Committee on Assassinations as well as our interest in the Derwinski amendment.

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26. [redacted] LIAISON Received a call from Joe Kirchheimer, a consultant to the Senate Select Committee on Intelligence, who asked if he could see a list of OER reports from 1972 to 1975. I told him I believe I already had such a list and I would be glad to show it to him.

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27. [redacted] LIAISON Met with Mark Gitenstein, ~~Senate Select Committee on Intelligence staff~~, as a follow up to his meeting with Robert Gambino, Director of Security, on 6 May. Gitenstein reiterated requests, which he apparently made during the meeting, for access to a "leak data-base", for a meeting with Eloise Page, DDO, to discuss security bigot lists, for copies of correspondence between the Department of Justice and the Agency on respective responsibilities for leak investigations, for access to any CIA regulations pertaining to the use of compartmented information, for the damage assessment on the Boyce-Lee and Moore espionage cases, and for additional information on security practices of Government contractors. Gitenstein also said he wanted to set up a briefing for members of the Subcommittee on Secrecy and Disclosure on Government security problems but wanted to meet with Mr. Robert Gambino, Director of Security, before making plans for such a meeting.

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29. [redacted] LIAISON Met with Norvill Jones, Staff Director, Senate Foreign Relations Committee, and discussed the recent letter from Senator Dick Clark (D., Iowa) requesting information on Agency activities with respect to mercenaries. I told him that while we had no such activities, we wanted to avoid if possible, a formal response to Senator Clark since it was our practice not to comment on press allegations like the ones which spawned Senator Clark's request. I explained to Jones this would be in the area of covert action and, as he knows, we are not engaged therein. He said he would handle the matter directly with Senator Clark and until we heard further, no written response would be necessary.

I noted briefly our problems with the House version of the Arms Control and Disarmament Agency authorization bill and he suggested we work with Bill Ashworth, Senate Foreign Relations Committee staff.

I also went over with Jones the transcripts of the briefings on Africa, Lebanon, and the covert action briefing and obtained his approval for excisions of parts that caused us problems.

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16. [redacted] LIAISON Talked with Mike Epstein, Senate Select Committee on Intelligence staff, and confirmed today's meeting for Bill Miller, Staff Director, and himself to review the Agency's [redacted] material. Nevertheless, Epstein and Miller were later forced to cancel. The meeting was tentatively rescheduled for Friday at 10:00 a.m.

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17. [redacted] LIAISON Informed Anne Karalekas, Senate Select Committee on Intelligence staff, that the DDO material she requested on the 1974 oil embargo was now available for her review. Karalekas said she would call me later this week to set up a firm time for her to examine it.

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18. [redacted] ADMINISTRATIVE - DELIVERIES Delivered to Audrey Hatry for Bill Miller, Staff Director, Senate Select Committee on Intelligence, a memorandum from George L. Cary regarding an investigation by the Senate Foreign Relations Subcommittee on International Relations; a letter from Robert Gambino, Director of Security, regarding clearances for six Committee employees; a blind memorandum regarding [redacted] and interim responses to the Committee's requests on the use of Section 7 of the Central Intelligence Agency Act, and allegations of CIA surveillance of the publisher of the Iran Free Press.

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20. [redacted] LIAISON Paula Schwartz, Senate Select Committee on Intelligence staff, asked me for another copy of the classified study on The Impending Soviet Oil Crisis.

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21. [redacted] ADMINISTRATIVE - DELIVERIES Delivered to Barbara Chesnik, Senate Select Committee on Intelligence staff, copies of recent FOIA court decisions where the Director's sources and methods authority was tested.

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Journal - Office of Legislative Counsel
Thursday - 5 May 1977

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5. (Unclassified - LLM) LIAISON Called Dan Childs, Senate Select Committee on Intelligence staff, and discussed the various options on budget authorization, including budgetary authority, estimated outlays, and appropriations.

6. (Unclassified - NDL) BRIEFING Per [Redacted] request, I called Caroleen Silver, on the staff of Senator Pete V. Domenici (R., N. Mex.), to confirm the briefing on Zaire for the Senator for 8:30 a.m., 10 May. Ms. Silver said that Senators Henry Bellmon (R., Okla.) and James A. McClure (R., Idaho) are planning to attend also and there is a possibility that Senator Robert P. Griffin (R., Mich.) may join them as well.

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7. (Unclassified - ALM) LIAISON Wanda Dove, of the office of Representative Dan Daniel (D., Va.), called to request general information on the Agency. An information package was forwarded to her.

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[Redacted]

9. (Unclassified - LJK) ADMINISTRATIVE-DELIVERIES Delivered to Charles Snodgrass, House Appropriations Committee staff, responses to follow-on questions on composition of Intelligence Community Staff. I picked up from Snodgrass, additional follow-up questions for FY 78 budget.

10. (Unclassified - LJK) LIAISON Called James Fellenbaum, Senate Appropriations Committee staff, to relay for background use, Senator Daniel K. Inouye's (D., Hawaii) discussion with Admiral Turner, DCI, regarding proposals for addressing the issue of open budget.

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Guidelines

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77-0600

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19. [Redacted] LIAISON Met with Elliot Maxwell, Senate Select Committee on Intelligence staff, and asked him if he had finished his review of the separate security agreements covering compartmented information which the Office of Security wants staff members to sign. Maxwell said he had finished and that he was suggesting a few changes. He said he would find the material and get it to me in the next couple of days.

I also asked Maxwell if he would speak to a Mid-Career course on 17 June at 10:00 a.m., and he agreed.

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20. [Redacted] LIAISON Accompanied [Redacted] [Redacted] OLC, to a meeting with Bill Miller, Staff Director, Senate Select Committee on Intelligence, to discuss an anticipated Chicago Sun Times expose on certain Agency cover arrangements.

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[Redacted]

I reminded Miller that the Agency was eager to give briefings to new Committee members Daniel P. Moynihan (D., N. Y.), James B. Pearson (R., Kans.) and Richard G. Lugar (R., Ind.), and Miller said he would try to set these up.

I informed Miller of my discussions with Elliot Maxwell, Senate Select Committee on Intelligence staff, on separate compartmented security agreements and of the fact that the Agency had an additional 8,000 to 10,000 cubic feet of material ready for destruction, pending Senate Select Committee on Intelligence approval.

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21. [Redacted] LIAISON Per his request, I mailed the Agency publication entitled "The International Energy Situation: Outlook to 1985" to Bill Brobst, on the staff of Representative Allen E. Ertel (D., Pa.).

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