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OLC 73-0152

23 February 1973

MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with Ed Braswell, Chief Counsel,  
Senate Armed Services Committee

1. I met with Ed Braswell at his request today and he gave me a copy of a letter dated 22 February 1973 from Senator Sam Nunn (D., Ga.) to the Director regarding the leaks of intelligence information in an article by Joseph Alsop entitled "Russia's 'Go' or 'No Go' Decision." Braswell said Senator Nunn had discussed the matter with him before signing the letter and Braswell commented this kind of thing happened all the time. Nunn said that might be so and he recognized he was new at the business, but he felt it was wrong and he wanted to raise the issue. Braswell feels that under the circumstances we will have to go back to Nunn with a written response. He provided us with a copy because he thought it would be some time before the original reached the Director through the mail.

2. Our conversation then turned to the subject of proposed Foreign Relations Committee hearings [Redacted] I told Braswell that, in the absence of Chairman Stennis, Jack Maury and Ted Shackley were talking with Senator Jackson today as to how this matter could best be handled as far as the Agency was concerned. Braswell agrees that if the Director is required to testify before the Foreign Relations Committee he will have to refuse to go into sensitive operational information. If that develops, he feels the Director should invoke executive privilege if necessary.

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3. I told Braswell that invoking executive privilege in the Foreign Relations Committee would, of course, mean we would also be barred from discussing these details with the Armed Services Committee, CIA Subcommittee. This did not seem to bother him. In fact, he commented that the way things were going it wouldn't be long before we would not want to

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provide this kind of information to the CIA Subcommittee anyway. (This was an obvious reference to the increasing number of new Senators who are not at all sympathetic with the need for secrecy in Government.) Furthermore, he seemed to feel that it would pose an impossible burden on the Chairman if we were to disclose this information to him and then expect him to hold the line against Foreign Relations Committee pressure. He agreed, however, that we were right in consulting Senator Jackson.

4. Joe Alsop's column in this morning's Washington Post entitled "The CIA Analysts: Changes at the Top" also came up. I told Braswell that some of our senior officers have decided to retire for one reason or another, but Mr. Schlesinger has not effected wholesale firings as the Alsop article might infer. I added that while we were not a political agency it had to be expected that a new Director would want to bring in some new people.

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5. I got the impression from Braswell directly and from over-hearing several telephone conversations that he expects to be able to talk with Chairman Stennis about some matters of Committee business next week.

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Deputy Legislative Counsel

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1 - Mr. Colby

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