

OGC 78-5111
4 August 1978

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MEMORANDUM FOR : Office of Security

ATTENTION :



OLC #78-399/103

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FROM :

Assistant General Counsel

SUBJECT :

S.2525 - Proposed Charter Legislation -
Title IV, CIA - Background and Security
Investigations

1. On 1 August 1978, various Agency representatives met with members of the staff of the Senate Select Committee on Intelligence to discuss revisions of Title IV proposed by the Agency. Among the matters discussed were proposed revisions of Section 421(a)(6) and Section 423(1), copies of which are attached for your reference, which were proposed with the objective of providing clear authority for the range of investigations which it was thought the Agency conducted at the present time and would require continued authority to conduct in the future.

2. That discussion revealed a basic lack of knowledge or understanding on the part of all involved regarding the extent and nature of the Agency's activities in this regard. The result was our inability to support our proposals in any effective manner.

3. What is required is a close examination of these provisions as presented in the bill and in combination with relevant provisions in Title II (e.g., Section 218, targets of foreign activities, Section 220, investigations of persons in contact with foreign agents, Section 221, potential sources of assistance, Section 222, security of facilities, personnel, communications and information), which will themselves be the subject of future discussion, to determine how these provisions satisfy or fail to meet the investigative requirements of the Office of Security. We also must understand the full range of investigations conducted by the Office and which categories include or do not include consent of the subject. For example, are spouses of applicants consenting subjects? How about intended spouses of applicants? Intended spouses of current employees? Detailees? Do contractor and proprietary employees provide consent and do they always understand who is investigating them?

MORI/CDF


OGC Has Reviewed

4. Your assistance in obtaining responses to these and other relevant questions would be greatly appreciated, as would your suggestions concerning the sufficiency of the provisions now in Title IV and appropriate amendatory language.



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Att

cc. AI/DDA
C/PCS/PGL/DDO
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Next 1 Page(s) In Document Denied