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ROUTING AND RECORD SHEET

SUBJECT: (Optional) Surveillance Activity Within the
United States

FROM: Charles W. Kane Director of Security		EXTENSION	NO.
			DATE 24 APR 1975

TO: (Officer designation, room number, and building)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
	RECEIVED	FORWARDED		
1. Mr. E. H. Knoche				
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24 APR 1975

MEMORANDUM FOR: Mr. E. H. Knoche
Assistant to the Director

SUBJECT : Surveillance Activity Within the
United States

1. It is obvious as a result of my discussions with Messrs. Roethe and Olsen of the Presidential Commission Staff that they consider any surveillance activity within the United States by CIA to be inherently wrong per se. While there certainly are proper limitations on CIA surveillance activity within the United States, there are limited areas within which the Agency has a legitimate and proper surveillance role. It is apparent that there should be no surveillance activity by CIA in the United States without the written approval of the Director of Central Intelligence and appropriate coordination with other federal agencies.

2. Noted below are a number of examples in which future CIA physical surveillance within the United States would be both necessary and proper:

a. Physical surveillance of CIA employees suspected of engaging in unlawful acts to develop sufficient information to enable the FBI or other federal agency to assume jurisdiction. Example:

b. Surveillance of CIA employees in coordination with the FBI in cases where there is a reasonable belief that intelligence sources and methods have been compromised. Example: Agency surveillance initiated within an Agency installation and continued outside to a point where the FBI can take over.

c.


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d. Surveillance to confirm or deny allegations concerning CIA employees.
Example: Surveillance to determine whereabouts of Agency employees.

e. Surveillances for operational purposes.
Example: Surveillances conducted at Area 51 to determine if information concerning the YF-12A should be publicly released due to deterioration of cover; surveillance activity in the vicinity of [redacted] to determine if that project cover had been compromised.

3. With respect to electronic or telephonic surveillance, this type of activity may be conducted in the United States without a warrant only with the specific approval of the Attorney General. Needless to say no electronic or telephonic surveillance request would be forwarded to the Attorney General without the written approval of the DCI. The electronic monitoring of oral communication where one party to the conversation is aware of such monitoring does not violate current statutes on this subject. Again, however, this activity would not be undertaken without written approval of the DCI.

4. As noted in paragraph 2 above, physical surveillance activity is, in essence, an extension of the investigatory or security procedures of the Agency and is necessary to protect the Agency from penetration, to support foreign intelligence operations and to preclude and/or detect unauthorized disclosure by employees of information concerning intelligence sources and methods. The authority for this activity in the United States, while not explicit, is implied in the National Security Act of 1947; CIA Act of 1949; Public Law 81-733 26 August 1950, 5 U.S.C.A. 7531, 7532; and Executive Order 10450.


Charles W. Kane
Director of Security

cc: DD/A

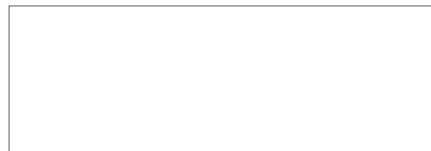
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