

12 February 1975

George--

Attached are a couple of drafts to requests for comments from Chairman Stennis.

S. 99 is identical to the bill Senator Humphrey introduced last Congress. Our letter on that bill is attached.

I got some of the information in the S. Res. 6 letter from OGC, but haven't cleared either letter formally with them.

Don

DFM

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DRAFT:DFM:js (12 Feb 75)

Dear Mr. Chairman:

This is in response to your request for our recommendations on S. Res. 6, introduced on January 15 by Senator Schweiker. S. Res. 6 would establish a Senate Select Committee on Intelligence Operations and Activities, to investigate the activities of the intelligence community of the United States Government, including the Central Intelligence Agency. The resolution would also express the "sense of the Senate" that the President designate a special prosecutor for all investigations, indictments, and actions arising from violations of the National Security Act of 1947 or the Central Intelligence Agency Act of 1949.

As you know, Mr. Chairman, the Senate voted on January 27 to establish the Select Committee To Study Governmental Operations With Respect to Intelligence Activities, proposed in S. Res. 21. This Committee has already begun to conduct an investigation of activities of the intelligence agencies, thus accomplishing the primary objective of S. Res. 6.

With regard to the designation of a special prosecutor, in my statement before your CIA Subcommittee on January 16 I stated my belief that none of the activities of this Agency "would properly be the subject of adverse action against men who performed their duties in good

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faith." Of course the Department of Justice must make the determination of whether domestic activities of Agency personnel involve violations of federal law, and I am therefore providing the Attorney General with complete information on these activities, at the request of the former Acting Attorney General. I defer to the Department of Justice for their view of whether this information and any criminal prosecutions based upon it can best be handled by a special prosecutor or by the normal Justice Department channels.

The Office of Management and Budget advises there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

W. E. Colby
Director

TO: Mr. William Jones, INR/OIL
Room 8732 New State
Ext. 20370

FROM:

STAT

Office of Legislative Counsel, CIA
7D35 HQ
351-6136
11 February 1975

Bill: Here's my DRAFT of CIA's response to Senator Stennis on S. Res. 6.

Dear Mr. Chairman:

This is in response to your requests for our recommendations on S. Res. 6, introduced on January 15 by Senator Schweiker. S. Res. 6 would establish a Senate Select Committee on Intelligence Operations and Activities, to investigate the activities of the intelligence community of the United States Government, including the Central Intelligence Agency. The resolution would also express the "sense of the Senate" that the President designate a special prosecutor for all investigations, indictments, and actions arising from violations of the National Security Act of 1947 or the Central Intelligence Agency Act of 1949.

As you know, Mr. Chairman, the Senate voted on January 27 to establish the Select Committee To Study Governmental Operations With Respect to Intelligence Activities, proposed in S. Res. 21. This Committee has already begun to conduct an investigation of activities of the intelligence community, thus accomplishing the primary objective of S. Res. 6.

With regard to the designation of a Special Prosecutor, in my statement before your CIA Subcommittee on January 16 I stated my belief that none of the domestic activities of this Agency "would properly be the subject of

adverse action against men who performed their duties in good faith." Nevertheless, I have provided the Justice Department with complete information on these activities, at the request of the previous Acting Attorney General. I defer to the Department of Justice for their view of whether this information and any criminal prosecutions based upon it can best be handled by a Special Prosecutor or by the normal Justice Department channels.

The Office of Management and Budget advises there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

W. E. Colby
Director

25X1

JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

[redacted] day - 11 February 1975

1. [redacted] Arranged for an area recruiter to contact [redacted] a constituent of Representative Thomas E. Morgan's (D., Pa.), who wanted to get in touch with someone from the Agency about possible employment. I called David Smith, in the Representative's office, and told him that [redacted] our recruiter for the [redacted] area, would make the initial contact. He thanked me for our help.

2. [redacted] Ron Tammen, Legislative Assistant to Senator William Proxmire (D., Wisc.), called as a courtesy to inform us that Senator Proxmire is introducing a bill today to make mandatory GAO audits of CIA and other intelligence agencies. Proxmire will also include in the Congressional Record a report conducted by GAO at his request, indicating the problems GAO has had over the years in its auditing activities.

3. [redacted] I called Mr. Monahan, in the Public Affairs Security Division of Defense as a follow-up to his earlier call to Angus Thuermer. [redacted]

[Large redacted block]

4. [redacted] Met with Marian Czarnecki, Chief of Staff, House Foreign Affairs Committee, and made arrangements for delivery of the NID. Mr. Czarnecki wants to acquire a safe and will call us when delivery is to start.

5. [redacted] Bill Jones, INR/OIL, called to prod me to speed up my draft of CIA's position on S. Res. 6, which would establish a Senate Select Committee to investigate intelligence agencies and would urge the appointment of a special prosecutor. I sent him a copy of my draft by LDX later in the day.

[redacted]

CONFIDENTIAL CL BY [signature]

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Tuesday - 11 February 1975

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25X1 [REDACTED] **SECRET**

25X1 6. [REDACTED] Called Jim Cline, Associate General Counsel, House Judiciary Committee, to ask if he knew who the "Doar Research Group" was as Bill Miller has told the Senate staff people that he will use this group on the Select Committee to investigate intelligence activities. Cline said all of the people who had worked for John Doar have long since gone and he was unaware that any were being recalled. Cline mentioned he did have a conversation with Bill Miller; however, this concerned how to handle security matters. Cline referred Miller to Ben Marshall, who had been Chief of Security for the House Judiciary Committee during the impeachment hearings.

I mentioned that the Director had received a copy of the letter dated 31 January from Senator Howard H. Baker, Jr. (R., Tenn.) to Chairman Peter W. Rodino, Jr. (D., N. J.) asking for an unsanitized copy of a statement which was received by the Judiciary Committee during the Watergate hearings and published, and I asked Cline how it was being handled. He said a letter was going out today from Chairman Rodino stating that the statement was among material loaned to the Committee by the CIA and that Senator Baker should direct his request to the Agency. Cline again confirmed with me that all CIA material loaned to the House Judiciary Committee during the Watergate hearings will be retrieved from Archives and given to the Agency for safe custody as soon as arrangements can be made.

25X1 7. [REDACTED] Accompanied the Director, Carl Duckett
25X1 and [REDACTED] to a briefing of the Senate Armed Services Subcommittee on Arms Control on the subject of SALT. See Memo for Record.

25X1 8. [REDACTED] Ralph Preston, House Appropriations Committee staff, called to ask what the Director's feeling would be on an open session on 20 February on the subject of domestic activities, followed on 21 February with the world wrapup and budget briefings. He said he has not yet talked to the Chairman about this but under the rules the session has to be open unless the Committee votes to have executive session. Preston said there might not be enough votes for an executive session if the Director's statement is unclassified.

25X1 After talking with the Director I called Preston back and suggested that the session be closed with the Director submitting an unclassified statement on the domestic activities allegations for the record. Preston will check with the Chairman and let us know.


[REDACTED] **SECRET**

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Approved For Release 2005/04/27 : CIA-RDP77M00144R001200020007-3

212 Old Senate Office Building Central Intelligence Agency Washington, D. C. 20505		NO. Q356110
		DATE 3 Feb 75
TO: Honorable John C. Stennis, Chairman Committee on Armed Services United States Senate Washington, D. C. 20510	TYPE OF MATERIAL	
	<input checked="" type="checkbox"/> ENVELOPE (S)	
	<input type="checkbox"/> PACKAGE (S)	
		OTHER
LOG DATA Interim reply on H. S. Res. 6, S. 99 and S. 244		DATE AND TIME OF PICK-UP 2-3-75 1400
		COURIER'S INITIALS 
		ORIGINATING OFFICE LOG 2

Executive Registry
75-4420/A

1 FEB 1975

Honorable John C. Stennis, Chairman
 Committee on Armed Services
 United States Senate
 Washington, D. C. 20510

Dear Mr. Chairman:

This is in response to your requests for the view and recommendations of this Agency on S. Res. 6, "To establish a select committee to conduct a study and investigation of the intelligence operations and activities of the intelligence community of the Federal Government, and to request the appointment of an independent Special Prosecutor;" S. 99, "To establish a Joint Committee on National Security;" and S. 244, "To amend section 102 of the National Security Act of 1947, as amended, to prohibit domestic intelligence activities by the Central Intelligence Agency, and for other purposes."

We are formulating our positions with respect to the bills and will send you our reports as soon as they have been appropriately coordinated within the Executive branch.

Sincerely,

/s/ W. E. Colby

W. E. Colby
 Director

Distribution:

- Orig - Addressee
- 1 - DCI
- 1 - DDCI
- 1 - ER
- 1 - S. Res. 6, w/basic
- 1 - S. 99, w/basic
- 1 - S. 244, w/basic
- 1 - OLC Chrono

OLC:DFM:cg (31 Jan 75)