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OLC 78-0487/21

Pro Leg

16 August 1978

MEMORANDUM FOR THE RECORD:

SUBJECT: Civil Service Reform Legislation

1. The undersigned spoke with Mr. Michael O'Neil, Chief Counsel, House Permanent Select Committee on Intelligence, regarding the Civil Service Reform legislation.

2. Mr. O'Neil informed me that he had spoken with Mr. David Minton, of the House Post Office and Civil Service Committee regarding our proposed amendments. Apparently Mr. Udall is unwilling to accept our amendment that deals with limiting the Special Counsel's investigatory authority re Hatch Act violations to agencies of the competitive service. Mr. Udall feels that (1) our amendment would exempt far more than CIA and (2) the intent was to have all investigations of Hatch Act violations under one person--the Special Counsel.

3. Mike's first thought is to drop the issue, although he allowed that we could regroup here, develop narrower alternative language which he will then consider and presumably present to Minton. Legislation Staff, with consultation of OGC, will draft new (more narrow) language.

25X1

Assistant Legislative Counsel

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PROPOSED AMENDATORY LANGUAGE TO
H.R. 11280, Civil Service Reform Legislation

At line 2 on page 161, strike the semicolon and add...

A. , except that those agencies listed in section 2302(a)(2)(B)(ii) of this title shall have the sole responsibility for investigating allegations of such activities by their employees.

or

B. , except that the Inspectors General of NSA, CIA, etc. (and same as A above).

or

C. Except that the IOB ... (same as A)

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