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THE DIRECTOR OF CENTRAL INTELLIGENCE
WASHINGTON, D. C. 20505

OLC CHRONO

18 JUL 1978

Office of Legislative Counsel

MAT Jim
E.P
OMB

Mr. James M. Frey
Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D.C. 20503

Dear Jim:

We have received your office's request for views on the Department of State's proposed submission to the House-Senate conferees on H.R. 12598, the "Foreign Relations Authorization Act, Fiscal Year 1979." Our views on this legislation are contained in my letter and attachment containing proposed language to you, dated 17 July 1978. I would like to offer a few comments keyed to the Department of State's proposals.

1. Tab 28, subsection 119(2) of the Senate bill, amending the so-called "Role of the Ambassador Legislation" (22 U.S.C. 2680a). While we certainly concur with the stated Administration position opposing subsection 119(2) in the Department of State's proposal, I believe the proposed language contained in the material I sent you on 17 July 1978 provides the necessary and more appropriate substantive points in opposition to subsection 119(2). In particular, I think it is important that the Administration note the potentially serious adverse effects on the President's discretionary authority under 22 U.S.C. 2680a if the language proposed by subsection 119(2) were adopted.

2. Tabs 32A through 32E, Title V of the House bill, "Science, Technology, and American Diplomacy." In our view, the Administration should oppose this title. Not only would the provisions of Title V be extremely burdensome to implement and enforce, but the basic terms--"science and technology" activities, initiatives and agreements--are nowhere defined in the legislation; this would present additional practical burdens.

It is our understanding that intelligence activities, which may involve liaison activities that in turn could concern "science or technology" matters, are not intended to be covered by Title V of the House bill. I therefore request that absent general opposition to this title, the Administration position include a specific recommendation that the title be amended as follows to make clear that intelligence activities are not covered: [Subsection 503(c)

MORI/CDF

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