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12 July 1978 (OS) DDA

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MEMORANDUM FOR: Office of Security [redacted]
Office of General Counsel [redacted]

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FROM: [redacted]
Assistant Legislative Counsel

SUBJECT: Law Enforcement Assistance Administration Reauthorization Legislation

I recently discussed with you OMB's request for our views on the question of including in the LEAA reauthorization legislation a provision such as in current law prohibiting relationships between CIA and LEAA. We concluded that while we did not endorse such a provision, we would really have no formal objection to its inclusion in the new legislation. This new legislation was introduced in the Congress on Monday, 10 July, as the Justice Improvement Act of 1978. The provision relating to CIA reads as follows:

> "SEC. 824. Notwithstanding any other provision of this title, no use will be made of services, facilities, or personnel of the Central Intelligence Agency."

The following is the language from P.L. 93-83 (the existing LEAA legislation) on this point:

> "SEC. 508. The Administration is authorized, on a reimbursable basis when appropriate, to use the available services, equipment, personnel, and facilities of the Department of Justice and of other civilian or military agencies and instrumentalities of the Federal Government (not including the Central Intelligence Agency), ..."

As you can see, the language in these two provisions is not identical, but the operative effect would seem to be the same. Please let me know if the language in the new legislation would present us with problems we do not now have under the current law.

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