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#78-1712/2

OGC 78-3163
15 May 1978

CONTACT FRN LSN

MEMORANDUM FOR THE RECORD

SUBJECT : GAO Investigation and Intelligence Agreements Reported Pursuant to Case Act

REFERENCE : OGC Memo for General Counsel; Same Subject, 25 April 1978

1. Alice DeKany (State Treaty Affairs) advised that at my request State would not itemize intelligence agreements, including DIA as well as CIA agreements, in a list of agreements reported pursuant to the Case Act which State is providing to GAO. GAO is conducting an investigation of executive branch compliance with reporting requirements. State will also advise GAO orally that intelligence agreements and procedures for reporting them are the responsibility of the DCI and that they should contact the DCI with respect to CIA and DIA agreements. She said that GAO "already knew" that CIA agreements were reported via special procedures in both the Senate and House (apparently GAO was told by State without our permission), and that GAO would ask for the procedures. [The Senate procedures are unclassified and there is no reason not to show them to GAO; the House procedures should not be of concern to GAO because its investigation is in response to a Senate Judiciary subcommittee (on Separation of Powers) request.]

2. Ms. DeKany had queried DOD (Britt Snyder on Adm. Murphy's staff) and was told that DOD went along with referral to the DCI (of DIA intelligence agreements) but that DOD would reserve judgment on any other requests for information concerning DOD intelligence agreements which may arise in the future.

3. Ms. DeKany asked whether she could refer the GAO staff to me. I agreed but told her that others would have to get involved--including our Office of Legislative Counsel.

4. I intend to let OLC and other Agency components know when and if I am contacted by GAO.

[redacted]

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cc: ✓ OLC, [redacted]
C/PCS
C/GSD/OSO

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