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Journal - Office of Legislative Counsel
Wednesday - 25 January 1961

9. [redacted] Talked with Mr. William Darden, Senate Armed Services Committee staff, concerning the question of the President issuing a commission for the DCI, covering the points of whether or not a new commission being issued would there be a requirement that the Director's name be forwarded to the Senate for confirmation. I explained that Mr. Dulles wanted this handled very quietly. Mr. Darden said he would discuss this with the Legislative Counsel of the Senate who was completely trustworthy since this point had come up in a slightly different way in connection with the Under Secretary of the Air Force, Joseph V. Charyk, and Assistant Secretary of the Air Force, Lyle S. Garlock. Subsequently, Mr. Darden advised that clearly there was no legal requirement that a new commission issue. On the other hand, if the President forwarded a commission to the Director and did not send it to the Senate, the new commission would not be legally effective, it would be a pure ministerial act with the Director legally holding office under his previous commission. Further, Mr. Darden discussed this in a hypothetical way with the General Accounting Office and was advised that from a legal standpoint the old commission was completely effective and there was no requirement for a new commission. 25X1

10. [redacted] The Director telephoned indicating he had spoken to Larry O'Brien at the White House concerning Agency congressional relations and Mr. O'Brien had indicated that Myer Feldman would be the man to discuss this. The Director asked that I be in touch with Mr. Feldman to indicate the general nature of our congressional relations including appearances and whether there were any White House desires as to reporting on congressional hearings. 25X1

JOHN S. WARNER
Legislative Counsel

cc: IG
DD/S
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