

27 MAY 1969

This is to request your vote on the question of reporting from the Subcommittee S. 782, the bill which you have cosponsored to protect the constitutional rights of employees of the executive branch to prevent unwarranted governmental invasions of their personal privacy. 27

As you recall, two years ago the Subcommittee favorably reported a similar bill. At that time, the bill had been amended to exclude the FBI from its terms, and to deal with problems the CIA and NSA said they would have under the bill. Further exemptions were given those two agencies in the full committee, before it favorably reported the bill. These amendments were drafted after careful consideration of the written reports of those agencies and after lengthy discussions with their representatives.

On the Senate floor, still another amendment was added to give those security agencies additional powers. The Senate then voted to delete the total exemption for the FBI and to accord that agency the same exemptions as the CIA and the NSA.

In that form, the bill was passed by a 79-4 vote, and by the time absentees had recorded their approval, the total vote was 90-4. Unfortunately, the bill died in House Committee, but, as you know, we reintroduced it in January with 55 Senate cosponsors. S. 782, the new bill, is identical to S. 1035 and contains all the Senate amendments providing certain exemptions for the three agencies.

The CIA has renewed their request for a secret hearing and for total exemption from the terms of the bill. I have informed the Director, Mr. Richard Helms, that the Subcommittee would be happy to receive his views in a public hearing, an invitation which he has apparently rejected. Enclosed is my letter to him and his response.

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Mr. Helms has again submitted amendments, which in effect would exempt the CIA, the NSA, and the FBI from the terms of the bill.

While I personally am not disposed to grant his request, I am polling the Subcommittee to determine whether the members still retain their determination of 1967 to accord to these agencies only the exemptions now contained in S. 782.

The extensive hearings conducted in the last Congress on S. 1035 and the staff investigations since then convince me that there is a continuing need for the bill, a need which will be even greater in the years ahead.

I propose to report S. 782 in its present form to the full Judiciary Committee, using the same report which accompanied S. 1035, with language to cover the amendments which were inserted after the bill left the Subcommittee in 1967. Would you advise me of your views on this matter?

It is my hope that we can obtain prompt action in the full committee.

With all kind wishes, I am