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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Thursday - 3 October 1974

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1. [REDACTED] David McClintock, PM/SAS, Department of State, returned my call. He had called yesterday in response to a letter from Senator J. W. Fulbright, (D., Ark.) to Dr. Kissinger requesting State's views on the Abourezk amendment, No. 1922, to S. 3394, the Foreign Assistance Authorization Act. He wanted to coordinate State's position with ours and I offered to send him a copy of Mr. Colby's 24 September 1974 letter to Senator Fulbright on this subject. He said he would be back in touch with us before they sent their response to Senator Fulbright.

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2. [REDACTED] Received a call from John Thro, INR, Department of State, requesting our position on S. Res. 404, to establish a select committee on intelligence. I told him that our position was not yet set because of the fluid situation in Congress regarding CIA oversight and because of the Senate Armed Services Committee's advice that we need not move rapidly on this. He is anxious to know our position before they respond on this resolution. I told Thro we would contact him as soon as our position had been established.

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3. [REDACTED] Placed a call to Max Friedersdorf, Deputy Assistant to the President for Legislative Affairs, the White House, to make sure he was abreast of developments on the covert action amendments in the House Foreign Affairs Committee, but he did not return my call.

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4. [REDACTED] Kempton Jenkins, Assistant Deputy Secretary, Congressional Relations, Department of State, called and said he has received the package I had sent him yesterday on resolving the problem caused by section 28 of S. 3394 (Foreign Assistance Authorization Act). He agreed with the proposed solution and said that he would carry through on it and would let us know if he runs into any difficulty.

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25X1 5. [REDACTED] Matt Harvey, AID, called to report that he believed Bob Dockery, Professional Staff Member, Senate Foreign Relations Committee, would be sympathetic to our interests in connection with the Foreign Assistance Authorization bill and I thanked him for the suggestion.

25X1 6. [REDACTED] As a follow up to a message he left at the Watch Office last night at 10:00, met with Marian Czarnecki, Chief of Staff, House Foreign Affairs Committee, early this morning in the Committee's office to review the amendments proposed by the professional staff members and by Representative Donald M. Fraser (D., Minn.) to the House version of the Foreign Assistance Authorization Act concerning covert action. I told Czarnecki that the staff proposal was essentially the same as the Hughes amendment passed by the Senate yesterday with the additional requirement of reporting to the Senate Foreign Relations and House Foreign Affairs Committees. Not to be reported are intelligence gathering activities, and I told Czarnecki that it is sometimes difficult to distinguish intelligence gathering from covert action until you get down to the end of the line and he said it was the intent that the escape clause for intelligence gathering would be liberally interpreted. I also said there was a definite area of possible encroachment on the constitutional authorities of the President, gave him examples, with which he agreed, and he hustled off to brief Chairman Thomas Morgan, House Foreign Affairs Committee, as the full Committee was convening for session. I said more relevant to the issue is what the House will do with the reform legislation now on the floor which would give "overview" authority over military and foreign intelligence to the Foreign Affairs Committee and Czarnecki said that matter may come up on the House floor today and he just was not sure of the outcome. Czarnecki came out a couple of times to ask questions and I told him that we really did not want to be in a position of formally consulting with the Committee at this juncture and at my first opportunity, I departed.

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