

C O N F I D E N T I A L

MFR  
OLC #78-191311

8 May 1978

## MEMORANDUM FOR THE RECORD

SUBJECT: Senate Select Committee on Ethics' Review of  
Material Referencing [REDACTED]

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1. At 1000 hours, 5 May 1978, Messrs. John Marshall and Julian Englestad, staffers of the Senate Select Committee on Ethics, visited Headquarters in connection with the requests from this Committee referencing the [REDACTED] dated 9 March and 7 April 1978. Present also were [REDACTED], OLC/C&R, and the undersigned. These staffers came vice Mr. Don Sanders, Special Counsel, as originally planned.

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2. Messrs. Marshall and Englestad are new personalities on the scene in this case as far as CIA is concerned. They stated they were formerly with the FBI, and Mr. Marshall said he had previously worked with Mr. George Cary on another leaks investigation.

3. These staffers were read the replies to the memorandum of request dated 9 March. The only question they had relating to this information was why they would not be meeting with former Chiefs of Station, etc. per paragraphs 6 and 7 of the Sanders memorandum. It was explained that, in some cases, the Chiefs of Station are under cover, and that since it is not the Agency which is being investigated, in this case, we preferred to protect the identity of these employees and that this was the procedure in the Memorandum of Understanding agreed to by CIA and the Committee. It was reiterated that we would be happy to pass any questions the Committee might have to these individuals and provide the Committee with the replies as received from them. They accepted this, but did not ask that this be done at this time. (It appears, however, that their interest is in asking these officers about whether they had passed any information on the [REDACTED])

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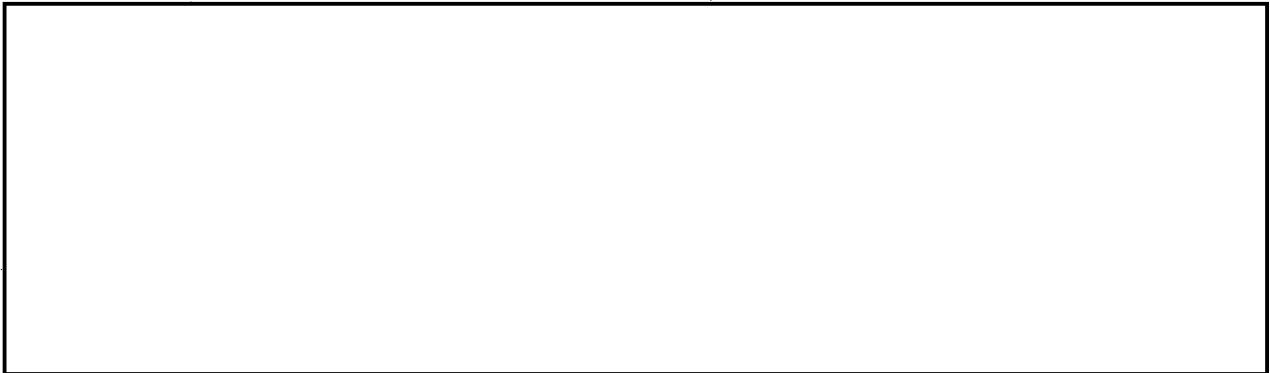
4. Referencing Tab A, the staffers were shown <sup>this</sup> further sanitized version of the material. Messrs. [ ] and [ ] of OLC, decided that references by name of SSCI members or staffers should be sanitized out, but they would be provided orally should the staffers feel this information was essential. Mr. Sanders agreed to this procedure; in fact, the staffers did ask for a number of the names, and they were provided. (Those provided are marked by an "X" in the Tab A sanitized version.)

5. Referencing Tab B material, the staffers asked whether these were all of the inquiries from the press on the Panama items. In this connection, they also asked whether the Public Affairs office keeps a record of all media requests. They were told that we believe this to be all media inquiries applicable to the request, however, OLC will double check this with the Public Affairs office for the period 13-29 September 1977.

6. Messrs. Marshall and Englestad were advised that their notes would be classified prior to leaving the Headquarters building and that per the Memorandum of Understanding, we would not review the notes. They were told that each sheet of paper containing notes would receive the highest classification of the notes on that page. They were given the classification stamps and did their own classifying, but from observation, it appeared that this was done correctly. The notes then were sealed in an envelope to be placed unopened inside another envelope and sent to them via courier by OLC.

7. The staffers were also advised that their notes should not be verbatim copies of the documents. (They also understood that they could not have xerox copies of the documents.) Mr. Marshall took copious notes, but since we do not review the notes, we have no way of telling whether they were verbatim.

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25X1 4 October 1977. This information has been passed to OLC,  
[redacted] We will attempt to obtain a copy of the  
article from the library and make it available to the Senate  
Ethics Committee.

[redacted]  
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O/SA/DO/O:ESVidal:kaj (1542)

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