

Proposed Leg
OLC 78-1569

Office of Legislative Counsel

8 May 1978
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Mr. John J. Brady, Jr., Chief of Staff
Committee on House International Relations
House of Representatives
Washington, D.C. 20515

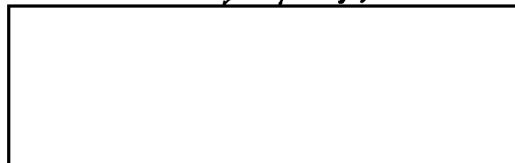
Dear Jack,

This letter is to follow-up on our conversation and a visit by officers of my Legislation Staff, at which Mr. Spalatin was also present, with regard to the "science and technology" amendment to the Foreign Relations Authorization Act, FY 79 now being considered by the Committee.

As you know, because of certain inherent ambiguities, we are concerned with the scope of the proposed amendment. I am enclosing herein, as one means of addressing the problem, language that could be used in the Committee Report to make clear that the amendment itself is not intended to affect any initiatives, activities, arrangements or agreements entered into or conducted by the Director of Central Intelligence or the Central Intelligence Agency. This is consistent with our discussion and assurances on the part of you and Mr. Spalatin to my officers that the amendment is not intended to reach intelligence initiatives, activities, arrangements or agreements. As a corollary, enclosed also is a suggested amendment to the proposed statutory language itself that of necessity would protect against the public disclosure of intelligence sources and methods and information that might be included in the Presidential report to the Congress provided for in Section 503 of the amendment.

If you have further questions please feel free to contact my Legislation Staff. They would be more than happy to assist you in the resolution of these matters.

Sincerely,





Acting Legislative Counsel

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Enclosure

Distribution:

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SUGGESTED REPORT LANGUAGE

The following report language is suggested to clarify the fact that the amendment itself is not intended to affect any initiatives, activities, arrangements or agreements entered into or conducted by the Director of Central Intelligence or the Central Intelligence Agency:

"No Provision in this title is intended to be directed at or is to be construed to apply to any intelligence initiatives, activities, arrangements or agreements."

SUGGESTED STATUTORY LANGUAGE

The following new subsection (503(c)) should be added to Title V to protect against the public disclosure of intelligence sources and methods and information:

"(c) Except as otherwise provided by law nothing in this section shall be construed as requiring the disclosure of sensitive information relating to intelligence sources and methods or other information relating to personnel, standards, training, funding, or administration of any activity by any agency or department involving intelligence."

Note: The terms "personnel," "standards," "training," "funding" and "administration" are expressly included in the proposed new subsection 503(c) since those terms are specifically used in subsection 503(b).