

WASHINGTON, D.C. 20505

OLC RECORD COPY

Legislative Counsel

25 SEP 1978

DOD

Brigadier General William W. Maurer  
Deputy Assistant to the Secretary  
of Defense  
Washington, D.C. 20301

Dear General Maurer:

Your 13 September request to process special compartmented clearances for David H. Harbold, Surveys and Investigations staff, House Committee on Appropriations is approved. A valid need for access has been demonstrated.

It is our understanding that your office will initiate security processing with the appropriate office in the Department of Defense. When a favorable adjudication is made in accordance with paragraph G of the Director's guidelines on compartmented clearances, Mr. Harbold will be eligible to receive special compartmented security clearances as required.

Because Mr. Harbold's background investigation is more than five years old, the Committee has been asked to request that it be updated by the FBI.

Sincerely,

151

Frederick Hitz

Attachment

Distribution:

Org - Addressee  
1 - OS/I&CB  
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OLC:RJK:sks(18 September 78)

TO : Mr. Hitz

FROM : RJK 20 SEP 1978

SUSPENSE DATE

SUBJECT:

DOD Request to Process Compartmented Clearance for  
HAC S&I staffer David H. Harbold

NOTES

This is one of the first cases we have received from DOD under the new guidelines. This staffer will be working on an AWACS project for six months. His BI needs updating and we have asked HAC to get that under way. We will monitor this one closely also. Pat and Ed have been notified on this case.

*Bob - will this be left in MAR 1979 after study completed? i.e. temporary until then?*

COORDINATED WITH (list names as well as offices)

NAME		OFFICE	OS/I&CB	DATE
NAME		OFFICE		DATE
NAME		OFFICE		DATE
NAME		OFFICE		DATE

ACTION REQUIRED BY GLC

Sign letter to BG Maurer



OFFICE OF THE SECRETARY OF DEFENSE  
WASHINGTON, D.C. 20301

OLC #78-5784

13 SEP 1978

MEMORANDUM FOR MR. FREDERICK P. HITZ, LEGISLATIVE COUNSEL  
CENTRAL INTELLIGENCE AGENCY

SUBJECT: Request for Special Security Clearance  
(Mr. David H. Harbold)

The attached request for special security clearance is forwarded for your action. After review, this office recommends approval of Mr. Anderson's request. Mr. Harbold is involved with a House Appropriations Committee (HAC), Surveys and Investigations staff study of the AWACS aircraft and thus requires access to sensitive source information in order to objectively evaluate the survivability/vulnerability of the AWACS. This effort is part of a larger HAC AWACS study and it is expected that he will require access to SI/TK controlled information during the period 18 September 1978 to approximately 18 March 1979.

SIGNED

William W. Maurer  
Brigadier General, USA  
Deputy Assistant to the Secretary of Defense  
(Legislative Affairs)

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**Congress of the United States**  
**House of Representatives**  
**Committee on Appropriations**  
**Washington, D.C. 20515**

September 11, 1978

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EXT. 52771  
OR  
225-2771

Mr. Jack L. Stempler  
Assistant Secretary of Defense  
for Legislative Affairs  
Room 3E822, The Pentagon  
Washington, D.C.

Attention: Mary Mann

Dear Mr. Stempler:

Reference is made to my letter of June 27, 1978, to the Secretary of Defense concerning a study into the U.S. E-3A Airborne Warning and Control System (AWACS) aircraft.

During our current inquiry it has been determined that special security clearances will be required in order to pursue the study. These special clearances will be required for a period of approximately 6 months.

Mr. David H. Harbold is assigned to this inquiry requiring the above clearance.

Sincerely yours,



C. R. Anderson  
Chief of the Surveys and  
Investigations Staff  
House Appropriations Committee

cc - Assistant Secretary of Defense (Comptroller)  
Attention: Mr. Graydon I. Lose

cc - Mr. Marion R. Beasley, Acting Director  
Security Division  
Approved For Release 2004/10/12 : CIA-RDP81M00980R001400080030-6

GUIDELINES AND PROCEDURES FOR THE ISSUANCE  
OF COMPARTMENTED CLEARANCES TO  
THE LEGISLATIVE BRANCH

At the direction of the Director of Central Intelligence, to centralize the issuance of compartmented access approvals to the Legislative Branch, including staff employees of Congress, and employees of the General Accounting Office and the Library of Congress, thereby assuring the uniform and strict application of need-to-know and personnel security criteria, and to provide for an accurate, up to date, centralized record of holders of such approvals, the following guidelines and procedures are established effective immediately.

A. The DCI's Legislative Counsel shall serve as the Intelligence Community focal point for assuring the proper exercise of need-to-know pertaining to access by employees of the Legislative Branch to intelligence maintained and controlled within the SI, TK or BYE systems of compartmentation. The DCI's Legislative Counsel, acting on behalf of the DCI, shall oversee the processing of all such requests and shall validate the need-to-know. The DCI's Director of Security shall review such requests to assure proper uniform application of security criteria for access under the provisions of DCID 1/14.

B. All requests received by departments and agencies to grant employees of the Legislative Branch access to intelligence controlled within the SI, TK or BYE systems of compartmentation will be submitted by the recipient with its decision, to the DCI's Legislative Counsel for review and concurrence. Requests must clearly describe the nominee's need-to-know. Issues arising in regard to particular requests will be referred to the Director of Central Intelligence for resolution.

C. All requests for approvals of access to intelligence controlled within any system of compartmentation for any employees of the General Accounting Office or the Library of Congress will be submitted to the DCI's Legislative Counsel and will be personally approved by the DCI. Such requests must be at the direction of a Congressional committee and by letter from the committee chairman to the department or agency involved, fully stating the Congressional requirement.

D. Access to compartmented information will be approved only for permanent staff persons of Congressional committees designated by committee or subcommittee chairmen, and to selected Members of the Leadership staffs as designated by the President and President Pro-Tempore of the Senate, the Speaker of the House of Representatives and the Majority and Minority Leaders of both Houses respectively. Personal staff of Members of Congress shall not be granted compartmented clearances.

E. The following criteria will be used to establish need-to-know:

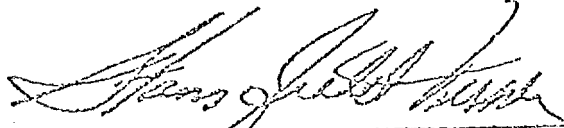
1. Direct involvement in authorization legislation pertaining to Intelligence Community agencies;
2. Direct involvement in appropriations legislation for Intelligence Community agencies;
3. Direct involvement in reviews authorized by law of activities of Intelligence Community agencies;
4. Direct involvement in oversight responsibilities carried out by the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence;
5. Direct involvement in other legislative matters which of necessity require direct access to compartmented intelligence.

In most cases, the need for substantive intelligence can be fulfilled without disclosing the source or method of acquisition. Therefore, every effort will be made to satisfy Congressional requirements for information by providing noncompartmented or sanitized material which does not reveal the manner of collection or acquisition. Direct access to compartmented information will not be approved unless sanitization or the provision of noncompartmented information is shown to be inadequate to meet the Congressional requirement.

F. Access approvals will be valid only so long as they are necessary, and approvals granted for particular requirements will be terminated when those requirements have been met. All approvals will be included in the central data base maintained by the Special Security Center under the direction of the DCI's Director of Security.

G. All persons, excluding Members of Congress, granted access to compartmented intelligence information shall have been the subject of a prior investigation meeting the criteria set forth in DCID 1/14. Security investigations of Congressional staff persons may be conducted under agreed upon arrangements with chairmen of committees or subcommittees, as appropriate. Investigations generally will be conducted by the Department of Defense, the FBI, or the Civil Service Commission, depending upon the particular arrangements made. The agency or department sponsoring the clearance will assume responsibility for assuring the conduct of an appropriate investigation. Security determinations made by sponsoring agencies or departments will be reviewed by the DCI's Director of Security to assure the proper uniform application of security criteria under DCID 1/14.

H. No materials controlled within a system of compartmentation will be provided to any Legislative Branch requester for retention without the approval of the DCI's Legislative Counsel and unless maintained in storage facilities which meet prescribed physical security requirements and are so certified by the Special Security Center.



Director of Central Intelligence

21 July 1978

Date