



26 OCT 1988

MEMORANDUM FOR: Deputy Director for Administration

FROM:

Director of Security

SUBJECT: Standard Form 312, Classified Information
Nondisclosure Agreement (U)

1. The attached letter, prepared for your signature, is in response to the letter received from the Director, Information Security Oversight Office (D/ISOO), dated 29 September 1988. D/ISOO's letter announced the implementation of Standard Form (SF) 312, "Classified Information Nondisclosure Agreement," and advised of the clarification of the previously executed copies of SF 189. (U)

2. This letter was prepared in coordination with the Office of General Counsel, and it informs D/ISOO of the Agency's intent to continue to use its own secrecy agreement, Form 368 (revised), and the new "Sensitive Compartmented Information Nondisclosure Agreement," Form 4355, in lieu of SF 312. (U)

3. Questions pertaining to this matter may be directed to [redacted] Executive Officer/OS, on extension [redacted] (secure). (AIUO)

Attachment

!OS/PB, [redacted] (24 Oct 88)!

!Distribution:

! Orig - Adse & I!
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OS 8-5660

ADMINISTRATIVE - INTERNAL USE ONLY

Central Intelligence Agency

Washington, D.C. 20505

Mr. Steven Garfinkel
Director, Information Security
Oversight Office
Washington, D.C. 20405

Dear Mr. Garfinkel:

The Central Intelligence Agency (CIA) is in receipt of your letter dated September 29, 1988 implementing Standard Form (SF) 312, "Classified Information Nondisclosure Agreement," and clarifying previously executed copies of SF 189. We sincerely appreciate all of your efforts to keep us informed with regard to the ongoing developments in this matter.

As you are aware, the CIA does not use the standardized forms promulgated by the Information Security Oversight Office (ISOO) since the Agency requires execution of far more stringent secrecy agreements as a condition of CIA employment and of access to CIA information. The Agency's basic secrecy agreement was recently revised and repromulgated as Form 368 in connection with the ongoing secrecy agreement litigations in the U.S. District Court for the District of Columbia. Further, the Sensitive Compartmented Information (SCI) Nondisclosure Agreement, Form 4193, has similarly been revised and reissued by the Agency for Government-wide use as Form 4355. The Agency's authority to create and utilize its own secrecy agreements has been recognized by the National Security Council, and subparagraph (k) of ISOO's amendment to 32 CFR 2003.20, dated September 29, 1988, expressly recognizes that agencies exempt from using SF 189 need not take any action with respect to SF 312.

In light of the foregoing, the Agency will continue to use its own secrecy agreements in lieu of the SF 312. Needless to say, we remain committed to the protection of classified information from unauthorized disclosure and will continue to support strongly your Office's endeavors in that area. Please let me know if we may be of any further assistance.

Sincerely,

R. M. Huffstutler
Deputy Director
for
Administration

18 OCT 88

Steven Garfinkel
Director, Information Security
Oversight Office
Washington, D.C. 20405

Good
gr
18 Oct

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In light of the foregoing, the Agency will continue to use its own secrecy agreements in lieu of the SF 312. Needless to say, we remain committed to the protection of classified information from unauthorized disclosure and will continue to support strongly your Office's endeavors in that area. Please let me know if we may be of any further assistance.

Sincerely,

R. M. Huffstutler
Deputy Director
for
Administration