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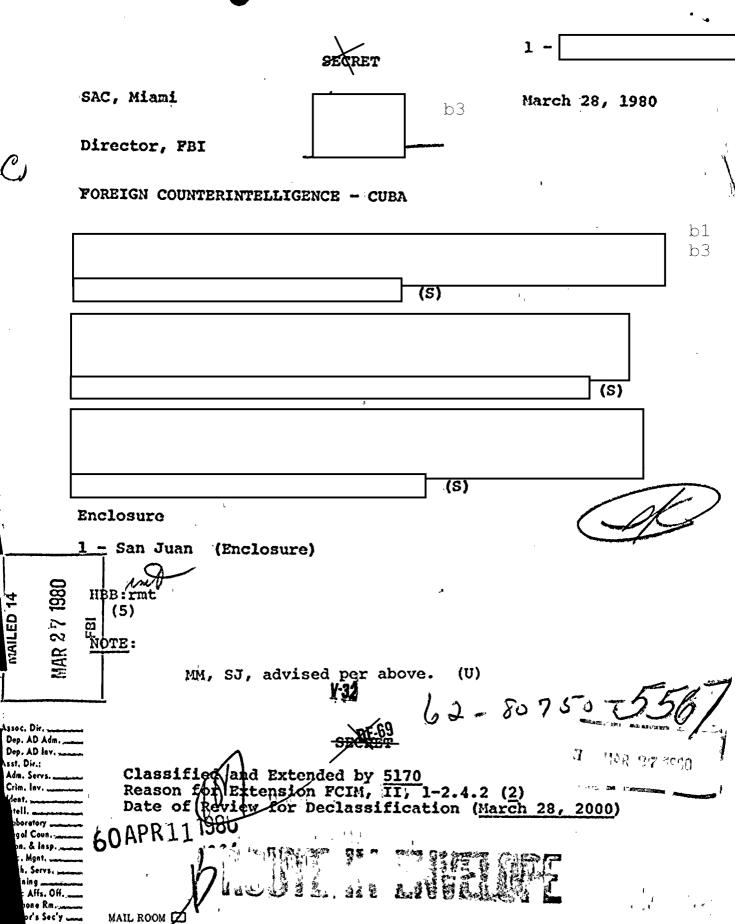
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A Big Flaw in the CIA Charter

HE REQUEST by Rep. Peter W. Rodino that the House Judiciary Committee, which he heads, be given a chance to study the proposed intelligence charter before it reaches the House floor should be taken seriously. Too many questions have already with the CIA primarily in mind, might affect the operations of the FBI.

Last week, for example, FBI Director William H. Webster testified that it appears the charter would permit government agencies to use the kind of disruptive tactics made notorious by the COINTELPRO a program. If that is so, the Judiciary Committee, which in its work on an FBI charter has already ex- be permitted to justify that kind of effort at home. amined ways to prohibit such tactics, is the appropriate group in the House to give the Intelligence Com-"mittee's bill a second look.

Mr. Webster, to his credit, indicated that the FBI is not seeking as broad a grant of authority as the charter appears to give intelligence agencies, and he even suggested that sharper limits could be put on the FBI's authority. He added that he doubted the old COINTELPRO tactics—harassment, infiltration, the release of false information and so on would ever be used against domestic political groups even if the bill passes as it is now written.

But the problem remains because the terms of the

intelligence charter apply to the FBI as well as the CIA. The standards for and the limitations on the operations of intelligence agencies abroad can be quite different from those that are fitting at home. By attempting to write one charter that works worldarisen about how the charter's provisions, drafted wide for all intelligence agencies, the administration and the congressional intelligence committees seem to have glossed over that distinction.

It may be permissible, for example, for the CIA to undertake some disruption overseas of groups thought to be engaged in gathering clandestine intelligence for a foreign power. But the application of that same standard—"may be engaged"—should not This is, after all, almost identical to the standard that put the FBI into the business of disrupting anti-war and civil-rights groups during the 1960s.

The problem, and others related to it, must be cleared up before the intelligence charter comes to a vote in Congress. The charter is not being written just to limit the present generation of leaders who, like Mr. Webster, understand the evils of COINTELPRO type operations. It is meant to limit the actions of future leaders who may forget about those evils. Congress should not create an opening—a clearing in the charter such as that Mr. Webster described—in which such abuses could recur.

> The Washington Post March 25, 1980 Page Al4

XEROX

1 - Mr. E. J. O'Malley

PEDERAL GOVERNMENT

April 1, 1980

BY LIAISON 4/2/80 872

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Central Intelligence Agency Washington, D. C.

Dear

Thank you for the kind remarks contained in your letter of March 19, 1980. I have conveyed your sincere thanks to the personnel of our New York Division who were instrumental in making your visit with us so worthwhile.

Please do not hesitate to contact me in the future if I may be of any assistance to you or the Director of Central Intelligence.

Sincerely,

Edward J. O'Malley Acting Assistant Director Intelligence Division

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March 17, 1980

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PEDERAL GOVERNMENT

Central Intelligence Agency Washington, D. C.

Dear

Please add my best wishes to those you have already received on your retirement. You can be very proud of your many years of dedicated service to our country.

I also take this opportunity to personally thank you for your outstanding assistance to this Bureau while serving in a liaison capacity. Our personnel who had the opportunity of working with you, including former Assistant Director Cregar, valued their association and friendship with you. I understand that you will

All of your friends in the FBI join me in wishing you every happiness in the years ahead.

Sincerely yours,

William H. Webster Director

1 - Liaison Unit NOTE: This letter was requested by the Intelligence Division. CAM:ic (4)

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April 7, 1980

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RE:	R. T. Castonguay	— b3	
RE: 4/9/80		,	b1
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FEDERAL GOVERNMEN?

BY LIAISON Constant 1814 Office

Central Intelligence Agency Vashington, D. C.	
Dear	
Thank you for your prompt response to muestion concerning	
	b3

and informative. I look forward to your joining me in the near future for lunch and am requesting my Liaison Officer to contact your office to arrange specific details.

Sincerely,

William H. Webster Director

ATR 13 1900

1 - Mr. O'Malley (Attn: Liaison)

LC: ams

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Public Affs. Off. _

APPROVED:

Adm. Serv. Crim. Inv.

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b6 b70 AIRTEL 4/15/80 To: SACs, Los Angeles Miami Newark New Orleans New York San Juan Tampa Washington Field Director, FBI From: b1 b3 (5) (8) 18) Recipients advised of above. (U) Exec AD Inv. _ Exec AD Adm. . MAY 15 1980 Exec AD LES .. Asst. Die.t 158 1 -Adm. Servs. Crim. lav. Ideat. . Classified and Extended by 5170 Reason for Extension FCIM, II, 1-2.4.2 latell. Loberatory Date of Review for Declaration (April Logal Cous. Plas. & lasp. Rec. Mgat. Pavic Affs. Off. ...

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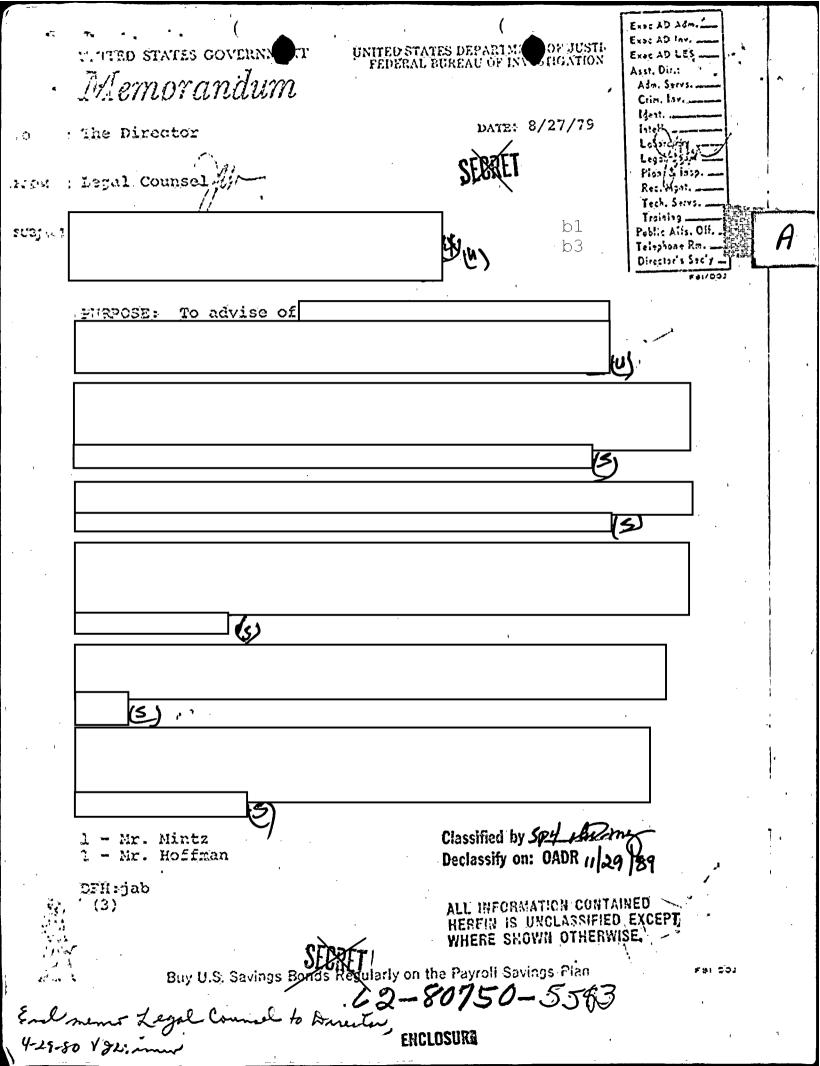
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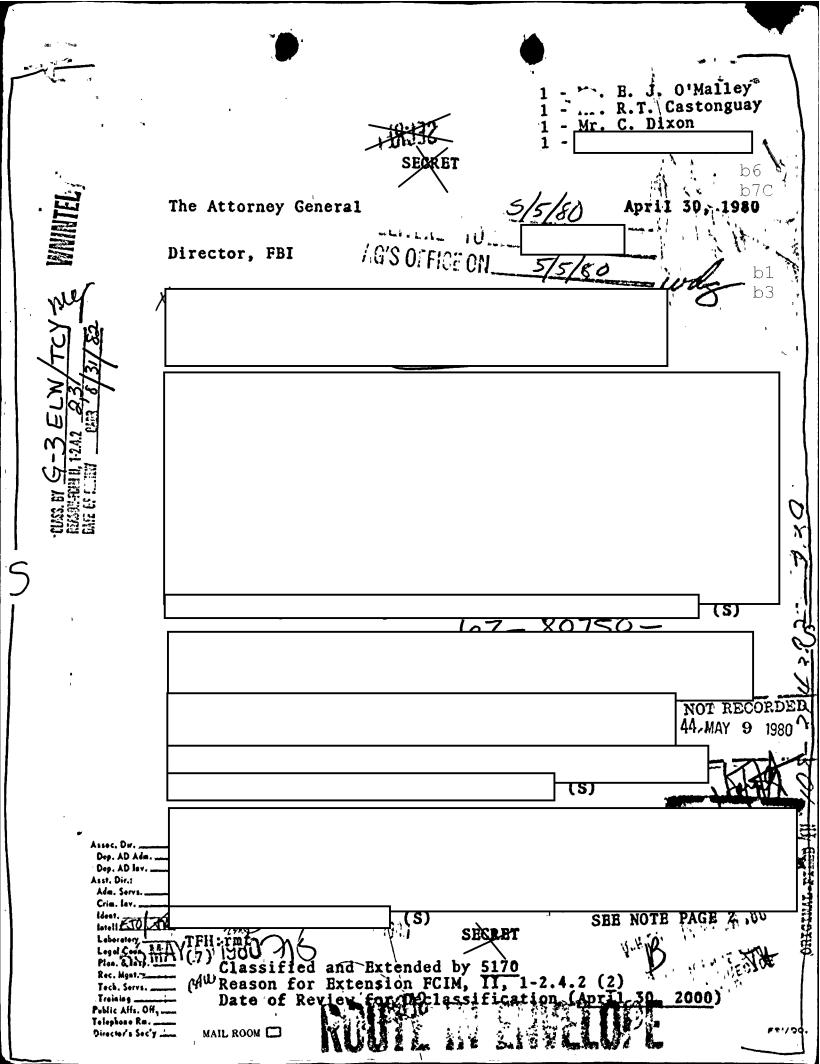
Assoc Dir. Dep. AD-Adm. Dop - AD lov. LUNITED STATES GÖVERNMENT UNITED STATES DEPARTMENT OF JUSTICE Asst. Dir.: FEDERAL BUREAU OF INVESTIGATION Adm. Servs MemorandumCrim. Inv. ident. latell. Laboratory . Legal Coun : The Director DATE: 4/29/80 то Plan. & lass Rec. Mant. Tech. Servs Legal Counse Training. FROM Public Affs. Off. Telephone Rm. b3 Director's Sec'y_ b7D SUBJECT To advise the Director of the status of the settle-PURPOSE: ment discussions concerning JUNECORDED COPY FILED IN 105-20 88406-SYNOPSIS AND DETAILS: On 8/27/79, by memorandum to you, captioned as above, a copy of which is attached herewith Enclosures (3)— MAY () 1980 1 - Mr. O'Malley - Mr. Blake Mr. Peterson Mr. Hoffman VJL:imw/ (CONTINUED OVER) 68 MAY 291980

FBI/DOJ

MAY 15 1980

Memorandum to Th	e Director	ı	(\$)m)	b3
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		In light of th	e above.	2.1
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May 5, 1980 FEDERAL GOVERNMENT b6 b7C Central Intelligence Agency Washington, D. C. 20505 Dear b3 I want to thank you for the and b6 courtesy afforded us at your headquarters b7C I certainly appreciate the time, effort and attention given us by you. Sincerely yours, William L. Bailey Assistant Director Records Management Division DE-59 62 - 80150 Exec AD Inv. 22 MAY 6 1980 Exec AD Adm, ____ RPF:mjl $_{1}$ (3) Exec AD LES ____ Asst, Dir.i Adm. Servs.-Crim, lav. _ ldent, _____ Intell. Laboratory ----Legal Coun. Plan. & Insp. __60 Tech. Servs. Training Public Affs, Off, _

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Director's Sec'y 🚅

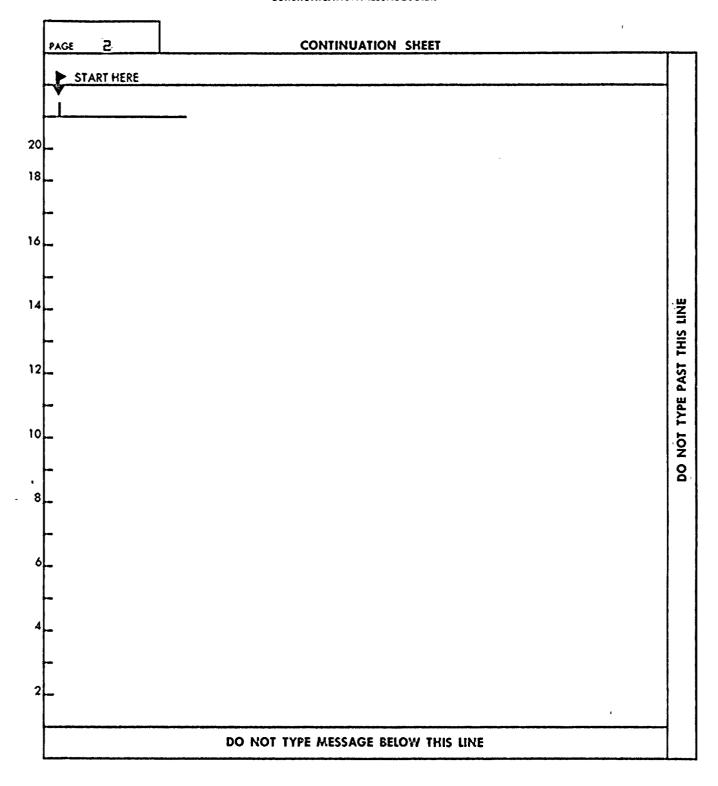
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1 - Mr. O'Malley 1 - Mr. Peterson Assistant Attorney General May 2, 1980 Civil Division FEDERAL GOVERNMENT - Mr. Blake - Mr. Hoffman Director, FBI b3 Reference is made to your memorandum dated captioned as above. NOTE: to Director, captioned as above. DE4 62-80100-5E 36 MAY 14 1980 APPROVED: Legal Coun. VJL: imw (1) Plan & Insp. Director UHW Rec. Mgnt. Exec. AD-Inv. ident. Toch, Servi Exec. AD-Adm. Exec AD Inv. : Intell, Training Exec AD Adm. Laboratory Exec. AD-LES Public Aits, Off. Exec AD LES ... Asst. Dir.: Adm. Serva Crim, Inv. 11 11 1980 Ident. Intell Laboratory Logal Con Plan. & Insp. Rec. Mgnt. Training ... Public Affs. Off. -Telephone Rm. Director's Sec'y ...

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BY LINISON puls/8/80 gra b3 FEDERAL GOVERNMENT b6 b7C Central Intelligence Agency Washington, D. C. Doar Please accept the congratulations of the FBI on your appointment as You may be assured of the FBI's future cooperation in matters of nutual interest. Sincerely yours, William H. Webster Director DE-44 - Mr. E. J. O'Malley Mr. J. H. Geer JUN 19 1980 OCCI ST YAM By communication dated NOTE: announced appointment. Exec AD Inv. Exec AD Adm. Exec AD LES . Asst. Dir.: Adm. Servs. Crim. Inv. Legal Coun. Plan. & lasp. -ಇಷ್ Coun. Rec. Mont. .. Crim. Inv. Plan. & Insp. DVK: j 68(7 Tech. Servs. Rec. Mont. Training 2,31980 ident. Public Affs, Off, _ Tech. Servs. Exec. AD Ad n Training

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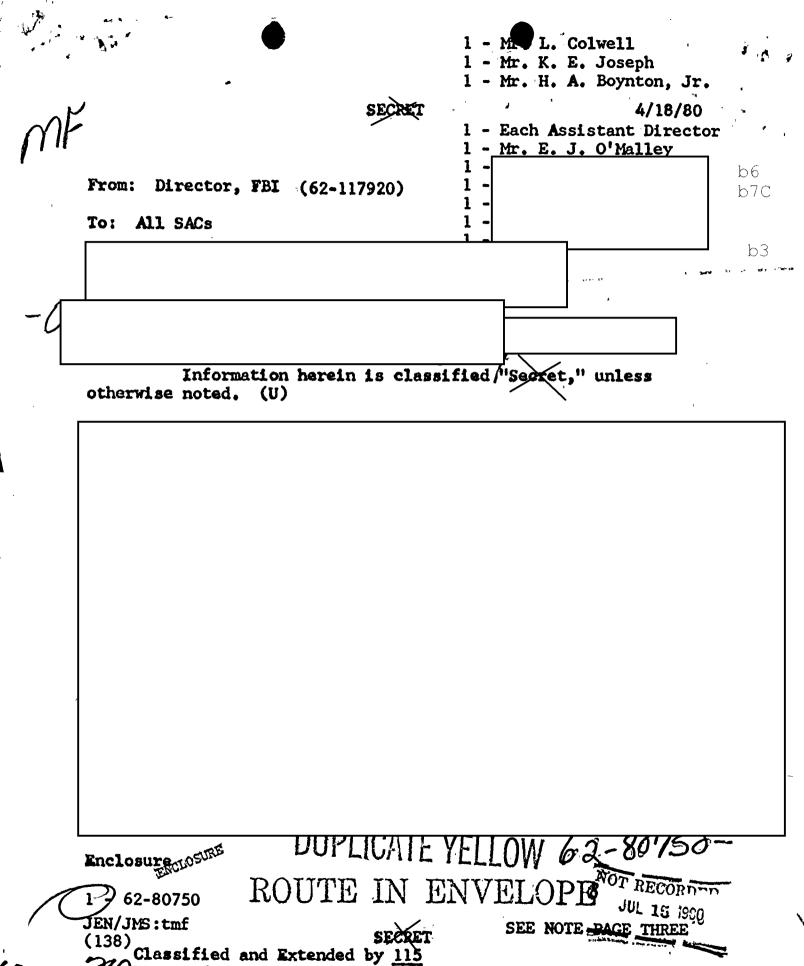
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	UNITED STATES GOVERNMENT Memorandum	United states department of justice federal bureau of investigation	Exec AD inv. Exec AD Adm. Exec AD LES Asst. Dir.: Adm. Servs. Crim. lav. Ident.
TO :	R.T. Castonggan b6		Loboratory Legal County Legal County Plan. & Inspiration Rec. Mgnt. August Tech. Servs. Language Training
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Particular of Review for Declassification April 18, 2000

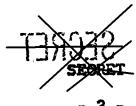
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	To:	Director Central Intel	Ligence Agency			•
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Director Central Intelligence Agency

NOTE	:

The above is current listing of authorized

This list is furnished for information of to the above address.

APPROVED:	Adm. Serv.	Legal Coun.	775
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Director		Rec. Mgnt.	
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ro	Wemorandum : Mr. Baysewes/	UNITED STATES DEPARTMENT OF JUSTICE FEDERAL BUPEAU OF INVESTIGATION DATE: 5/16/80	Exect O Adm
FROM	TRAINING SCHOOL LECTURES	7E	Public Affs. Off Tolophone Ro Director's Sec y
R	PURPOSE:		
/	To review and s Training School, especial at Quantico 6/30-7/31/80.	ummarize the arrangements for ly videotaping the lecture portions	Cnereof (
	SYNOPSIS:		
	Four meetings b	etween 12/3/79 and 5/1/80, have been to the captioned school.	held
	provide continuity and lo in subsequent use. TSD w videocassettes to support will be available for ins	ype videotapes will be useful mainly cation reference to the lecture visuall endeavor to purchase this project. A flat-floored class tallation of the terminals on ly-adjacent tiered classroom will be	to als com
	RECOMMENDATION:	•	
	None, for infor	mation.) wir
	1 - Mr. Curran 1 - Mr. Monroe 1 - Mr. Hinkley	APPROVEO: Colon. Nov. Director Exec. AD Art. Exec. AD Art. Exec. AD LES Laboratory CONTINUED - OVER	INAL FILED IN
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Mêmorandum to Mr. Bavse Re: Videotaping Training School Lectures	b3 b7E
DETAILS:	j.
The initial planning meeting to setup the School was held at Quantico on 12/3/79, with representatives of Technical Services Division (TSD), the Training Division At that time preliminary arrangements were made for the necessary dormitory and classroom space and	aining of the
	·
The idea of capturing the lecture portions of the son videotape to use in subsequent training programm was discussed. The representative from our Instructional Tectorices Unit indicated that this quantity of videotaping presentations.	ers hnology
However, pending n	ecessary
and detailed pre-production planning, it was agreed that the could videotane the sessions, perhaps using	ITS Unit
- <u> </u>	

- Although in general reference type videotapes of live lectures are usually of marginal value in later training, this is the best approach that can be applied in this case. In this instance the student manuals include black and white reproductions of all of the major course content which is shown via overhead transparencies during lectures themselves and it is felt that those printed diagrams used in conjunction with the videotapes for continuity and location reference on the individual visuals may provide a viable training vehicle.
- The lectures and videotaping will take place in a tiered classroom conveniently located near a flat-floored classroom which will contain the terminals for the practice exercises.
- The lecturer will wear a lavalier microphone to provide high quality audio and a second microphone for pickup of audience questions and discussion will be provided to feed a second channel on the videotapes. (This approach provides a high quality recording of the lecture itself and instantaneous access to the audience track whenever it is required during playback or editing modes.)

CONTINUED - OVER

Memorandum to Mr. Bayse
Re: Videotaping b3
Training School Lectures

- A detailed indexing scheme to link the student manuals to to videotapes will not be necessary. Accurate titling of the

- A detailed indexing scheme to link the student manuals to the videotapes will not be necessary. Accurate titling of the videotape segments to show the appropriate relationship to the student manual will be sufficient.

- Because of the magnitude of the videotaping itself, TSD has agreed to provide two (2) people to help operate the camera. These personnel will be available for this purpose throughout the entire school.

The Training Division representatives also suggested that it might be worthwhile to transcribe the lectures into a full narrative text which could be edited by a knowledgeable person and then retyped and duplicated to provide the subsequent trainees with a full text of the lecture material. Admittedly this would be quite a monumental task, the mechanics of which would devolve entirely upon personnel in TSD. The Training Division accedes to the judgement of the TSD representatives that the finished product would probably not be worth the effort; however, our television specialists still feel that it might be useful and very probably would be necessary if any sizeable amount of post-production editing of the reference videotapes were undertaken.

Of course our television specialists will do their utmost to deliver the best possible product under the constraints of available time, personnel and money. In this connection they have decided to record all of the lectures with our high quality color camera, rather than using _____ camera for some of the lectures, because of the capability of achieving high resolution with the former and because they believe the color itself will help to make the reference tapes more palatable.

The following points have been agreed on via telephonic contact subsequent to the 5/1/80 meeting:

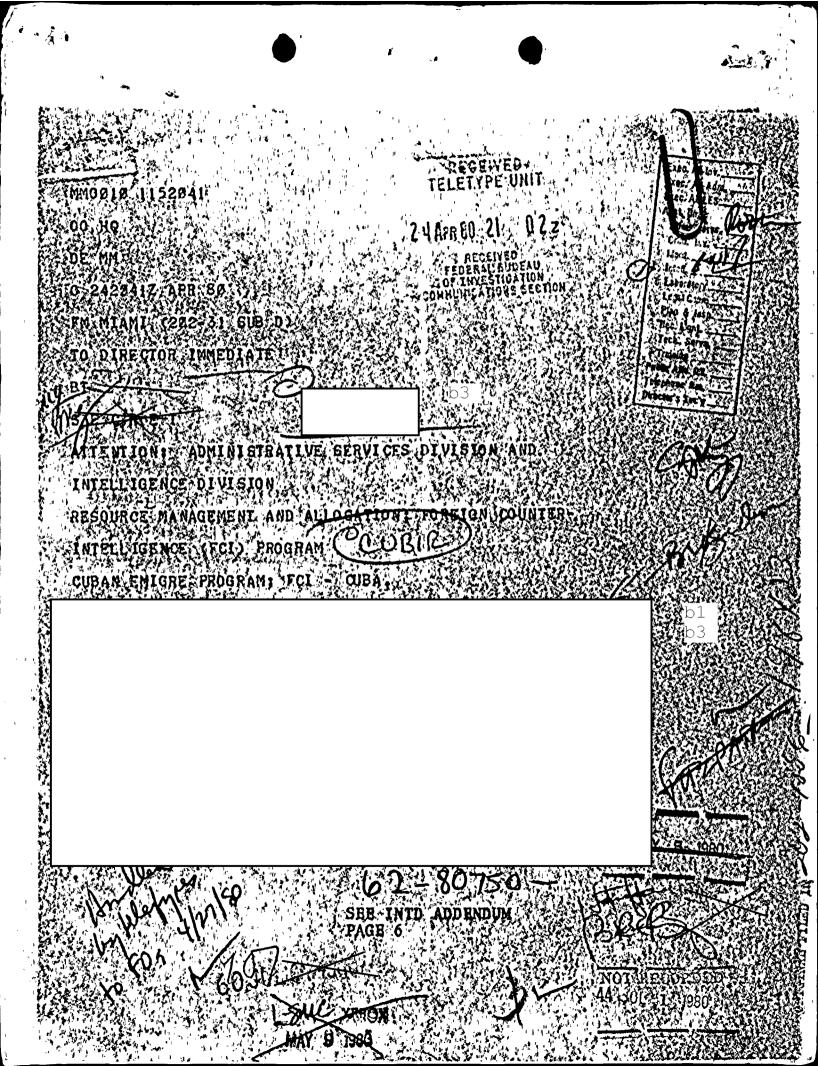
- Because of the heavy drain on our videotape stock, TSD will endeavor to purchase videocassettes. This will provide a complete set of tapes for TSD At the same time this division will hold one set of camera originals. Ordering information has been sent under separate cover to Mr. Curran.

CONTINUED - OVER

Memorandum to Mr Havse
Re: Videotaping ______
Training School Lectures

b7E

- Arrangements have been confirmed for the use of the flatfloored classroom (# 214) beginning 6/16/80, to the end of the school for the installation and use of the terminals and for the immediately adjacent tiered classroom (# 202) for the lecture sessions for the length of the school.



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CLAND E BY 1357 REASON DRD APRIL 24, 2000

c-Adri Ser

1 - Mr. R. E. Long 1 - Mr. A. B. Fulton

1 - Mr. R. T. Castonguay

ADDENDUM: INTELLIGENCE DIVISION CI-2-D 4/25/80 HBB:rmt

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(S)	APPROVED: Adm. Serv. Crim. Inv. Director Exec. AD-Inv. Exec. AD-Adm. Intell. Legal Coun Plan. & Insp Rec. Mgnt. Tech. Serve Training Exec. AD-LES Laboratory Public Affs.)

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Classified and Extended by 5170
Reason for Extension FCIM, II, 1-2.4.2 (2) & (3)
Date of Review for Declassification (April 25, 2000)

Exec AD L UNITED STATES GOVERNMENT UNITED STATES DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION Asst. Dir.; Adm. Servs. MemorandumCrim. lav. ldent. . Intell. Mr. Bayse Laboratory b6 Legal Cove. TO 6/3/80 DATE: Plan. & Insp. b7C Rec. Mgnt. Tech. Servs. Training _____ Public Affs. Off. __ FROM Telephone Rm. b3 Director's Sec'y 🚕 SUBJECT 62-80750-55 (Ded Over) - R. Phillips, Room 6875, T1 #212 Room 1358, T1 #153 - C. Jones Room 1358, T1 #153 - Room 1334, T1 #153 b6 Z JUN 13 1980 b7C

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Director
Central Intelligence Agency

NOTE:

Letter from E. J. O'Malley to Director, CIA, expressing appreci

Exec. AD-Adm. Intel. Training
Exec. AD-LES Laboratory Public Affs. Off.

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FEDERAL GOVERNMENT May 22, 1980 b3 **b**6 b7C Dear I'would like to thank you for Sincerely yours, Assistant Director 68 - 80 /50.
Intelligence Intelligence Division

1 - Mr. E. J. O'Malley Assoc, Dir., Dep. AD Adm. Dep. AD Inv. Asst. Dir.: Adm. Servs. 7A:prh1 (5) Crim. Inv. __ Ident, _ Intell. Laboratory ... Legal Coun. Plan. & Insp. Rec. Mgnt. Tech. Servs, . Training .. Public Affs. Off. Telephone Rm. Director's Sec'y

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BY LIAISON Color Soft

FEDERAL COUPRIMENT Date: June 16, 1980 b3 To: From: Edward J. O'Malley, Assistant Director Intelligence Division Subject: REQUEST FOR GUEST SPEAKER b1 (C) b1 (C) b3 150-5601 (C) Further arrangements can be made through telephone (U) RJB; mpb (7) SEE NOTE PAGE TWON 19 1980 DEPHRY CONFIDENTIAL b6 Classified and extended by 115 b7C

Crim. Inv. Reason for Extension FCIM II, 1-2.4.2 (2) Ideat. Date of Review for Declassification June 16, 2000 Intell. _ Laboratory . 1 - Mr. E. J. O'Malley Legal Coun. . 1 - Mr. J. # Plan. & lasp. (Attn: Rec. Mgat. " MAIL ROOM CHULZ PO 1980 Tech. Servs. . Training _ Public Affs. Off.

Exec AD Adm.

Exec AD Inv. Exec AD LES Asst. Dir.:

Adm. Servs.

Telephone Rm. Director's Sec'y .

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Daluis of the line Juno 5, 1980 9124 Cantral Intelligence Agency Washington, D. C. 20305 YEDERAL GOVERNMENT Dear I wish to bring to your rescenal attention the A close working relationship has been established and we are most appreciative of He also are most grateful to to provide our Special Agents in Charge of received by all in accendance, and incorrect much valuable infor-On behalf of my associates, I again wish to express deep appreciation for the Sincerely yours, APPROVED: Adm. Serv. Legal Coun. Crim, Inv Plan, & Incp. Director Cultu William H. Mabatar Exec. AD-My. flec Mgnt. Ident. Tech, Servi Director Intell, Training Exec. AD-LES Laboratory Public Affs. C 1 - Mr. McCarthy NOTE: Bufiles contain no information to preclude this

letter which was recommended by the Administrative Service Division.

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UNITED STATES GO United States Department of Justice Asst. Der.: FEDERAL BUREAU OF INVESTIGATION Admi Servs lemorandum Crim. lav. . Ideas. Intell. Laboratory Legal Coun. TO DATE: Mr. E. J. O'Malley 6/23/80 Plan. & Insp. Rec. Mgnt. Tech. Servs. Training J. F. Hengemuhle Public Affs. Off. -Telephone Rm. Director's Sec'y _ SUBJECT b3 Rememo R. T. Castonguay to E. J. 0'Malley, 6/13/80, captioned as above. PURPOSE: To report U), captioned RECOMMENDATION: For information purposes. None. Legal Coun. Adm. Serv. APPROVED: Plan. & Insp. Crim. Inv. Rec. Mont. Director Tech. Servs. Ident. Exec. AD-Inv. Training Exec. AD-Adm. Public Affs. Off. Laboratory Exec. AD-LES DETAILS: b1 b3 '- (C) PAPER 62-80750-Enclosures - 3 DE-14 1 - Mr. E. J. O'Malley 1 - Mr. R. T. Castonguay 1 - Mr. J. F. Hengemuhle 23 JUN 26 1980 Classified and Extended by 2609 JFH: dmy Reason for Extension. FCIM II, 1-2.4.2 (2 and 3) XF(ZO)X Date of Review for Declassification June 23, 2000 JULU23 1980 PERS. REC. UNIT 5-W.

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Memorandum to Re:	Mr. E. J. O'Mall	ev	b1 b3
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1 -	Mr.	E.	J.	O'Malley
1 -	Mr.	J.	H.	Geer-
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June 25, 1980 by lives 6/21/80 JTC

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Central Intelligence Agency Washington, D. C. 20505

I want to thank you and your associates for the hospitality extended to me and

I appreciate the opportunity to

Sincerely,

Edward J. O'Malley **Assistant Director**

62-80750

Dep. AD Adm.

Dep. AD Inv

Dear

JTA:prh/aed

APPROVED: Adm. Serv. Director Exec. AD-hv. ident. Exec. AD-Adm.

Legal Coun. Plan. & Insp. Rec. Mont. Tech. Servs.

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Classified and Extended by 222

Reason for Extension FCIM, II, 1-2.4.2 (2)

Date of Review for Declassification June 25, 2000

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1		Mr.	O'Malley
1		Mr.	Geer 🤼
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June 26, 1980

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BY LIAISON

Central Intelligence Agency Washington, D. C.

FEDERAL GOVERNMENT

Dear

As you will recall. I mentioned to you

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MAIL ROOM

Edward J. O'Malley Assistant Director

34 JUL 7 1980

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Classified and Extended by #115
Reason for Ext.FCIM.II.1-2.4.2 (283)
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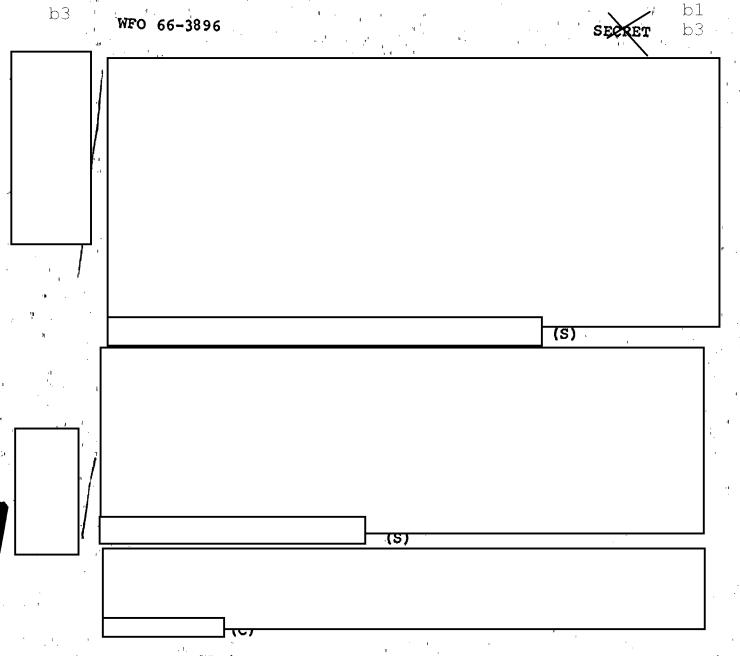
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REQUEST OF THE BUREAU

- 1) Per paragraph 4 above, add recommended addition to referenced procedures. (U)
 - 2) Review and approve enclosed LHM. (U)



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In Reply, Please Refer to File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20535 July 1, 1980

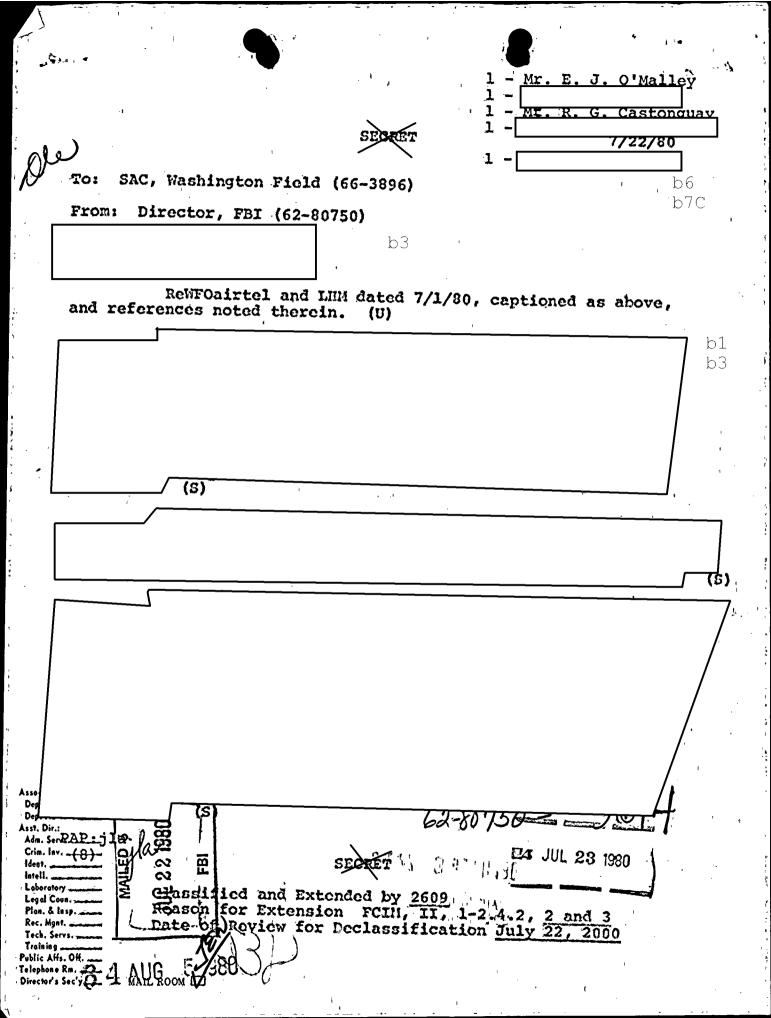
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Reason for Extension, FCIM, II, 1-2.4.2 (2 and 3)
Date of Review for Declassification July 1, 2000

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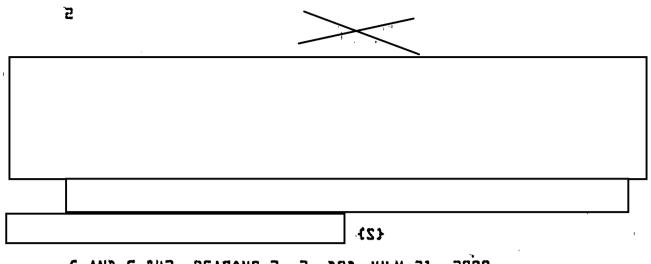
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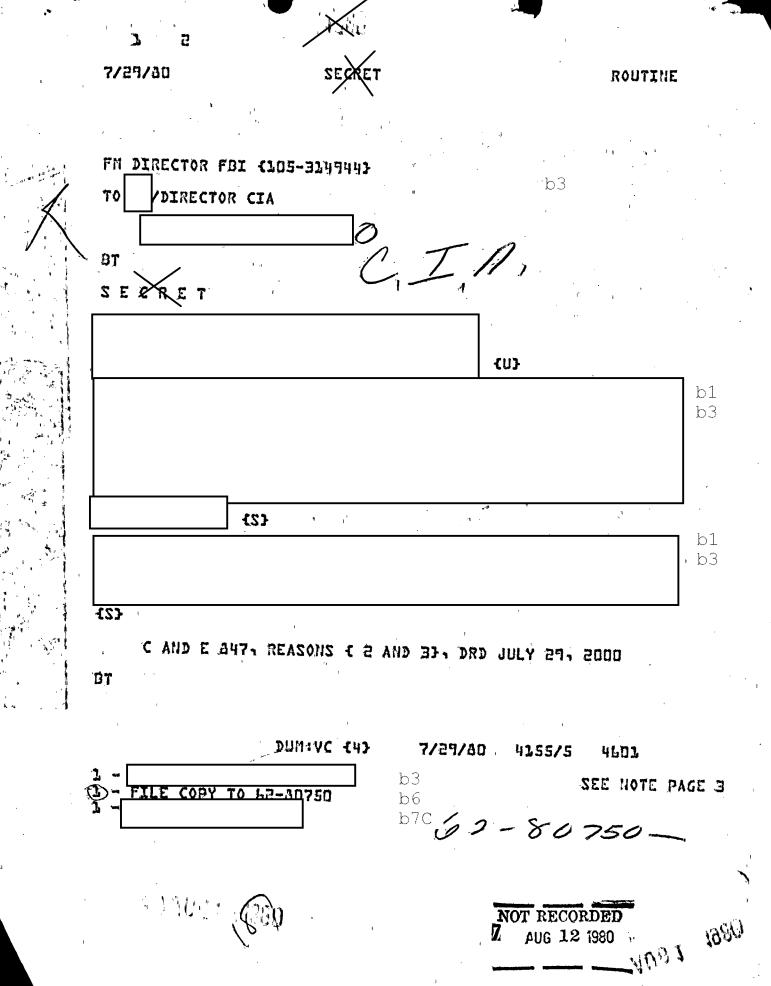
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BY LIAISON 4/28/80 910 Date: July 25, 1980 DERAL GOVERNMENT Director To: Central Intelligence Agency b3 b6 b7C From: E. J. O'Malley, Assistant Director Intelligence Division Subject In response it was thought prudent to survey our major field divisions to determine the numbers of FBI Agents interested in and qualified (U) Special Agents are considered to be qualified based on Of those qualified to and desirous all are working however, not all are or will be working matters. Exec AD Adm. Exec AD Inv., (U) PZ JUL 31 1980 Exec AD LES . Asst. Dir.: FBT can be arranged through Adm. Servs. the Bureau's liaison officer Crim. lav. _ (U) ideat. __ latell. SEE NOTE PAGE TWO CONFEDENTIAL

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Classified and Extended by 115

Reason for Extension, FCIM II, 1-2.4.2 (3)

Date of Review for Declassification July 25, 2000

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1 - Mr. E. W. O'Malley

1 - Telephone Rm.

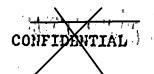
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SUBJECT					Director's Se <u>c</u> 'y
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Exec AD Inv. Exec AD Admin Exec AD LES ... UNITED STATES GOVERNMENT UNITED STATES DEPARTMENT OF JUSTICE Asst. Dir.: FEDERAL BUREAU OF INVESTIGATION Adm. Servs Erim. Yav. morandum ldent. intell. Laboratory . Legal Coun. DATE: 7-3-80 Plan. & Insp. Rec. Mgnt. Tech. Servs. Training . FROM Public Affs. Off. ... b3 Telephone Rm. Director's Sec'y ... b6 SUBJECT: DIRECTOR OF/CENTRAL INTELLIGENCE b7C AUTHORITY FOR PROTECTION OF INTELLIGENCE SOURCES AND METHODS PURPOSE: To set forth the authority of the Director of Central Intelligence (DCI) over sources and methods within the Intelligence Community and obligations of members of the Intelligence Community to present any situations where there is potential or actual damage of sources and methods to the DCI. DISCUSSION: The National Security Act of 1947, Title 50, U.S. Code, Section 402, established the National Security Council (NSC), presided over by the President of the United States, to advise the President on domestic, foreign and military policies relating to national security. Section 403 of the Act created. under the NSC NSC Intelligence Directive Number One, effective 2-17-72, directs the National Security Council Intelligence Committee (NSCIC) chaired by the Assistant to the President for National Security Affairs, members including the DCI and the Attorney General, to give direction and guidance on national substantive intelligence needs. U.S. Intelligence Board (USIB), chaired by the DCI with members including a representative from the FBI, to advise and assist the DCI with respect to national intelligence, including "the protection of intelligence sources and methods." Executive Order 12036, U.S. Intelligence Activities, dated 1-24-78, authorized a NSC Special Coordination Committee, chaired by the Assistant to the President for National Security Affairs, to develop policy with respect to the conduct of counterintelligence activities. Membership includes the Director of the FBI, the DCI and the Attorney General. **E4** JUL 23 1980 1 - Mr. O'Malley 1 - Mr. Finzel

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Memorandum from R. P. Finzel to Mr. O'Malley
Re: Director of Central Intelligence
Authority for Protection of Intelligence
Sources and Methods

Section 1-401 of the Executive Order established the National Foreign Intelligence Board (NFIB) to advise the DCI concerning, among other things, "The protection of intelligence sources and methods." The NFIB is chaired by the DCI and membership includes "appropriate officers" of the Department of Justice and the FBI.

Section 1-604 of the Order states "The Director of Central Intelligence shall ensure that programs are developed which protect intelligence sources, methods and analytical procedures, provided that this responsibility shall be limited within the United States to: (b) Providing policy, guidance and technical assistance to departments and agencies regarding protection of intelligence information, including information that may reveal intelligence sources and methods."

Section 1-710 of the Order states "The senior officials of each of the agencies within the Intelligence Community shall protect intelligence and intelligence sources and methods consistent with guidance from the Director of Central Intelligence and the NSC." Section 4-207 includes the FBI as "agency or agencies within the Intelligence Community."

Executive Order 12065, National Security Information, dated 6-28-78, Section 1-301, includes "intelligence activities, sources or methods" as information which may be considered for classification.

Section 3-303 of Executive Order 12065 provides "In some cases, however, the need to protect such information may be outweighed by the public interest in disclosure of the information and in these cases the information should be declassified. When such questions arise, they shall be referred to the agency head, a senior agency official with responsibility for processing Freedom of Information Act requests or Mandatory Review requests under this order, an official with Top Secret classification authority, or the Archivist of the United States in the case of material covered in Section 3-503. That official will determine whether the public interest in disclosure outweighs the damage to national security that might reasonably be expected from disclosure."

CONCLUSIONS: Historically and under current Executive Orders, the DCI, while being charged with the responsibility for protection of intelligence sources and methods, is limited in authority to providing policy, guidance and technical assistance to other Government agencies. The senior officials of the agency, however, are charged with protecting intelligence sources and methods consistent with such guidance.

Memorandum from R. P. Finzel to Mr. O'Malley
Re: Director of Central Intelligence
Authority for Protection of Intelligence
Sources and Methods

While there appears to be no directives specifically requiring all Government agencies to report damage or potential damage to intelligence sources and methods to the DCI, such reporting is certainly implied by the DCI's Executive Order responsibility to provide guidance and assistance and agencies Executive Order responsibility to be consistent with such guidance.

Member agencies of the NFIB, however, such as the FBI, have been specifically charged with Executive Order responsibility to advise the DCI on matters pertaining to protection of sources and methods. Damage or potential damage would most certainly be within the purview of "protection of" and the FBI obligated to advise the DCI accordingly.

NOTE: Discussion and conclusions were based on documents available to the writer and the matter was not researched through DCI sources.

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TO DIRECTOR IMMEDIATE

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DAY AT THE HEIGHT OF THE "BOAT LIFT" DURING MAY 1988. THE REFLICES

ARRIVING AT THE CURRENT RATE HAVE, FOR THE MOST PART, BEEN PAMILIES

WHOSE RELATIVES (OR HIRED BOATS) HAVE MANAGED TO EVADE THE COAST.

GUARD PATROLS IN THE FLORIDA STRAITS BY FEIGNING TRAVEL TO DITHER

CARIBBEAN COUNTRIES BUT IN REALITY HAVE BEEN REACHING THE POWER OF MARIEL BY CIRCUITOUS ROUTES. TOTAL NUMBER OF REFUGEES WHO HAVE SO SERVICES HAS

INTELLIGENCE TASK FORCE SCREENING OF THESE REFUGEES HAS

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CREDENCE HERE BY INS INASMUCH AS A DAILY STEADY INCREASE (286 ON

JULY 24. 1980) IN REFUGEES HAS BEEN NOTED AND DAILY (INCLUDING

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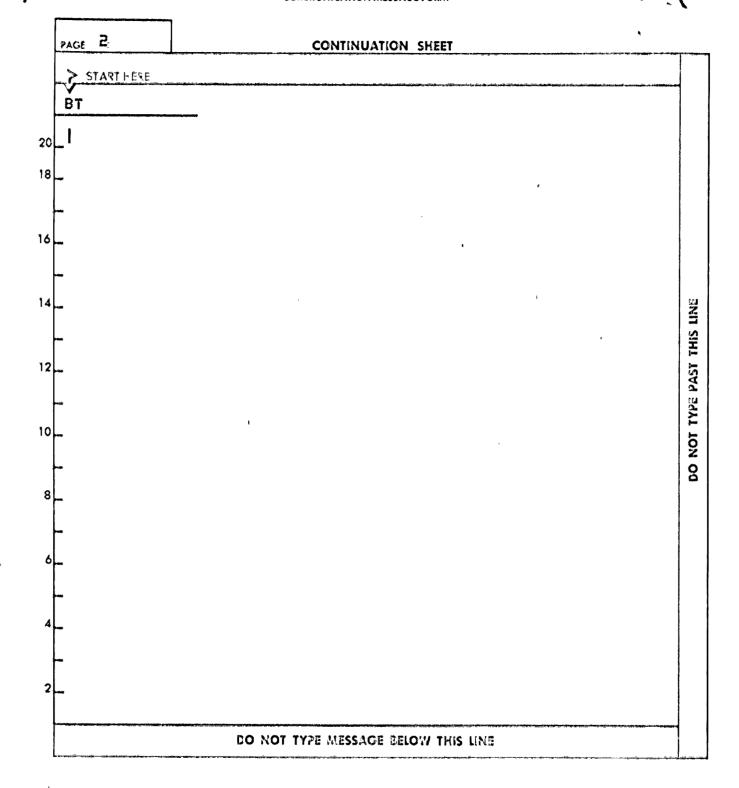


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Exec AD Adm. Exec AD LES UNITED STATES DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION UNITED STATES GOVERNMENT Asst. Dir.i Adm. Servs. . Crim, Inv. .. Memorandumleit. . freil. Loboratory Legal Coun. DATE: 7-24-80 Pion & Inso Rec, Mgnf. . b3 Tech, Servs, ... ,... Training b6 Public Alls, Off. b7C Telephone Rm. . Director's Sec'y ... SUBJECT: REQUEST FOR UNESCORTED BUILDING PASS To obtain an unescorted building pass for PURPOSE: Central Intelligence Agency representative. That this memorandum be referred to RECOMMENDATION: the Security and Space Management Unit, Administrative Services Division, for issuance of an unescorted building pass to Legal Coun. Adm. Serv. APPROVED: Plan, & Into. Crim, Inv. Rec. Mant. W.J. Tech. Sarva. Rant. Rolly, Abstract. Training Intell. Public Affs. Off. Exist, AD-LES Laboratory DETAILS: representative will need a JEH Building Security Access Control System will have capacity occasion to visit FBI Headquarters on official <u>business</u> 62-8075U-NOT RECORDE 1 1 152 AUG_\$ 1980 1 Attn Office of Security Room 1127 MFD: daf

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