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PERSONS OVERSEAS
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[R] - ITEM IS RESTRICTED 104-10331-10031
MEMORANDUM FOR: Chief, Historical Review Group
FROM: Robert J. Battinger, Jr.
Assisant General Counsel
Litigation Division, OGC

SUBJECT: MHCHAOS Material Concerning Activities of U.S.
Persons Overseas

1. This memorandum responds to Frank Most's request for
guidance on how to process certain MHCHAOS material.
Specifically, I was asked whether the standards for processing
the MHCHAOS documents that I provided in my 8 May 1993 memorandum
to you would change if the MHCHAOS reporting was of the
activities of U.S. persons in foreign countries. The standards
do not differ if the reporting was of the U.S. person's
activities overseas.

2. The authority of the Central Intelligence Agency to
collect information on U.S. persons is based on the rationale for
the collection, not the location of the U.S. person. While the
foreign activities, as opposed to domestic activities, of U.S.
persons are more likely to be of a foreign intelligence or
counterintelligence interest, it does not mean all foreign
activities may be collected. Additionally, the fact the
activities of a U.S. person take place overseas does not, by
itself, remove the U.S. person's privacy interests.

3. I recommend that you treat MHCHAOS reporting of a U.S.
person's activities in a foreign country in the same manner as
you treat MHCHAOS reporting of a U.S. person's activities in the
United States.

Robert J. Battinger, Jr.
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