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*File Copy for  
E.O. 12333~  
CIA Activities  
Within U.S.*

Washington, D.C. 20530

October 7, 1982

Mr. Stanley Sporkin  
General Counsel  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Stan:

Enclosed is a copy of a memorandum to me from the Attorney General regarding standards for approval of use by CIA of (b)(1)(b)(3) collection (b)(1)(b)(3) within and outside the United States. The memorandum, which will serve to supplement the procedures recently promulgated under Executive Order 12333, incorporates several provisions from the previous procedures that were deleted at the request of CIA in order to avoid complicating the new procedures unnecessarily for use by field personnel. It is our understanding that the Agency concurs in our judgment that these provisions should continue to apply to requests for Attorney General approval in this area. (U)

Enclosed as well is a memorandum from me to the Attorney General that describes the applicable standards but raises concern over a possible reading of the new procedures that would permit (b)(1)(b)(3)

The Attorney General shares this concern and, accordingly, has authorized me to provide you a copy of this memorandum as well in order to convey our judgment (b)(1)(b)(3)

(S)

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Classified & Extended by Derivative: CIA Procedures  
011696, D9c.1, D9c.2, D9c.3, D9c.10.  
Declassify On: OADR

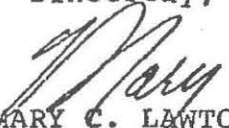
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Approved for Public Release

- 2 -

Please be advised that we are providing copies of both memoranda to the Chairmen of the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence pursuant to request. (U)

Sincerely,



MARY C. LAWTON

Counsel for Intelligence Policy

Enclosures.

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NSD000196



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Washington, D.C. 20530  
October 1, 1982

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: Standards for Approval of Use by CIA of  
(b)(1) (b)(3) Collection (b)(1) (b)(3)

You recently approved two sets of procedures under Executive Order 12333 to govern CIA intelligence activities within and outside the United States, respectively. Those procedures, as you have been advised, streamline and substantially simplify procedures promulgated under the prior Executive Order. ~~(S)~~

(b)(1) (b)(3)



These deletions were based upon CIA's assertions, accepted by us, that these provisions unnecessarily complicated the procedures for field personnel who submit such requests to CIA Headquarters but

(b)(1) (b)(3)



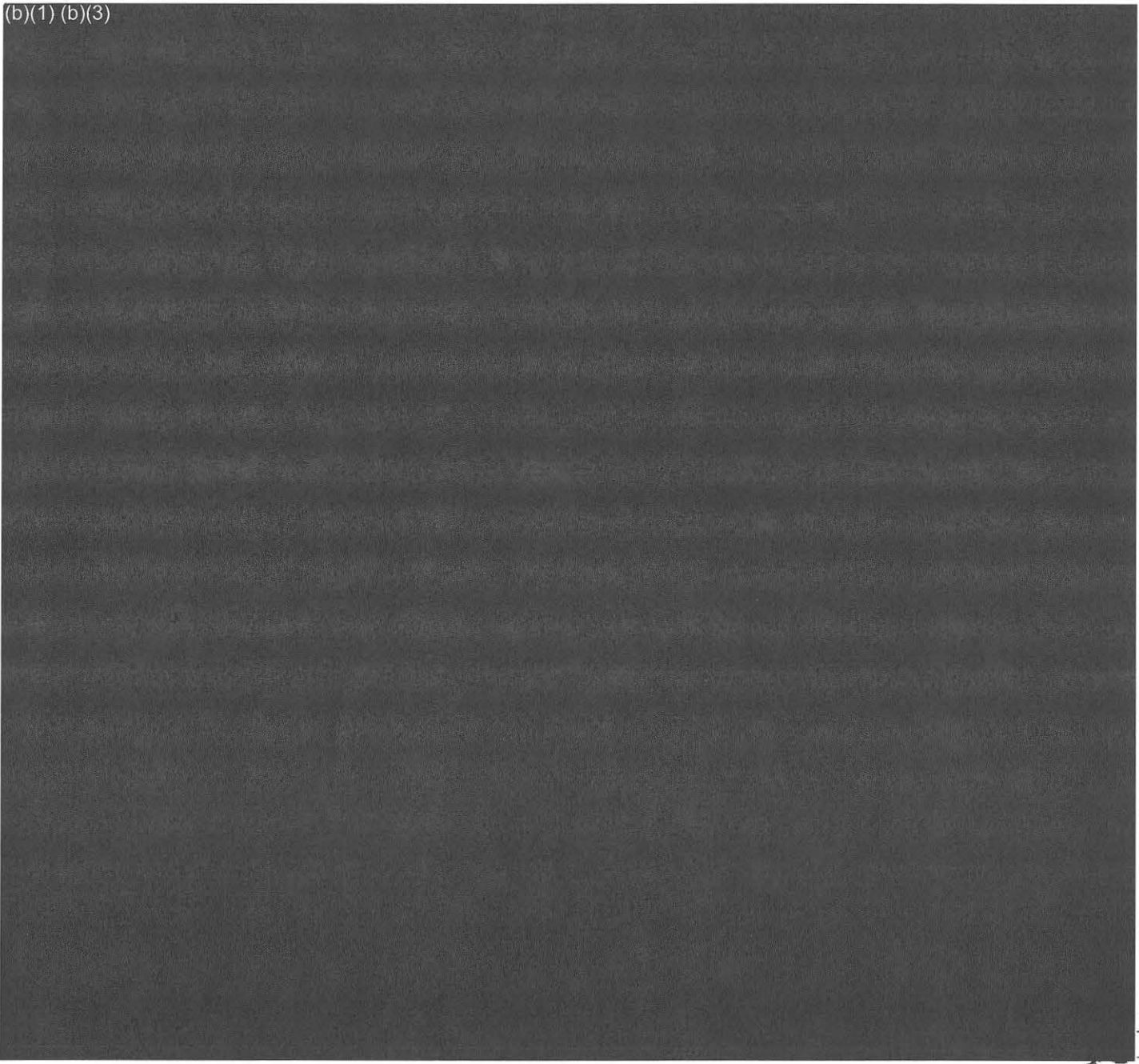
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011696, D9c.1, D9c.2, D9c.3, D9c.10.  
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are otherwise uninvolved in obtaining Attorney General approvals. It was understood, however, that the same standards would continue to be applied to requests for Attorney General approval in this area. (U)

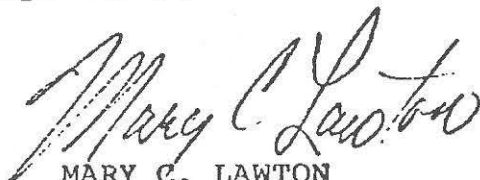
Accordingly, in order to provide guidance to the CIA in submitting such requests and to this Office in processing them, I recommend you approve the attached memorandum. This will maintain the current limit on Attorney General approvals (b)(1) (b)(3) and continue to require that all requests for use of the techniques include the information described in the memorandum. ~~(S)~~

(b)(1) (b)(3)



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Accordingly, upon your approval, I propose that we provide CIA a copy of both your memorandum, which will serve to supplement its procedures, as well as the instant memorandum which will serve to advise the Agency of our legal position on this matter. Inasmuch as the congressional oversight committees have also voiced concern regarding this issue, I believe both memoranda should be available to the committees as well upon request. ~~(S)~~



MARY C. LAWTON

Counsel for Intelligence Policy  
Office of Intelligence Policy and Review

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Office of the Attorney General

Washington, D. C. 20530

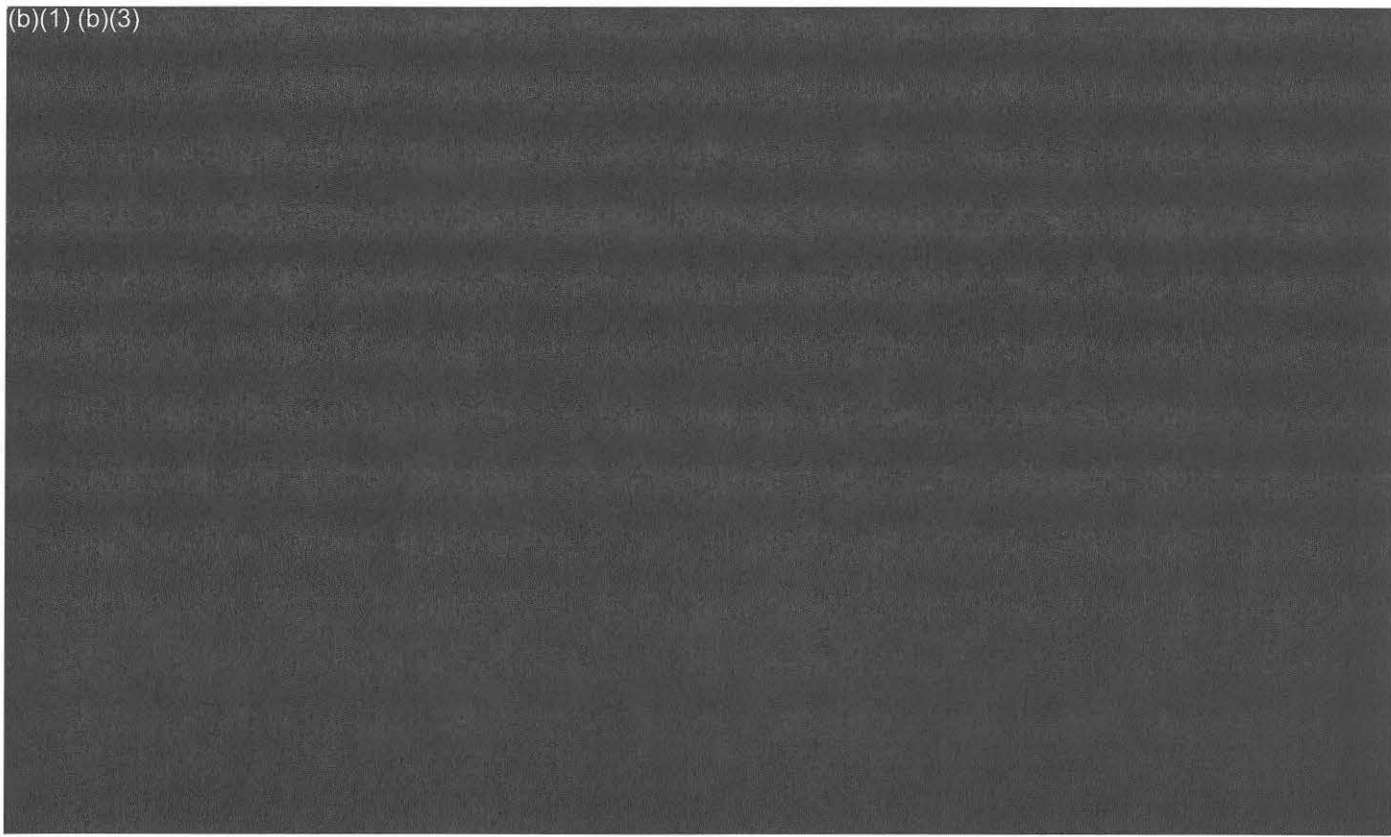
October 5, 1982

MEMORANDUM FOR MARY C. LAWTON  
Counsel for Intelligence Policy  
Office of Intelligence Policy and Review

Re: Standards for Approval of Use by CIA  
of (b)(1) (b)(3) Collection (b)(1) (b)(3)

This memorandum supplements procedures promulgated under Executive Order 12333 to govern CIA activities within and outside the United States. (U)

(b)(1) (b)(3)

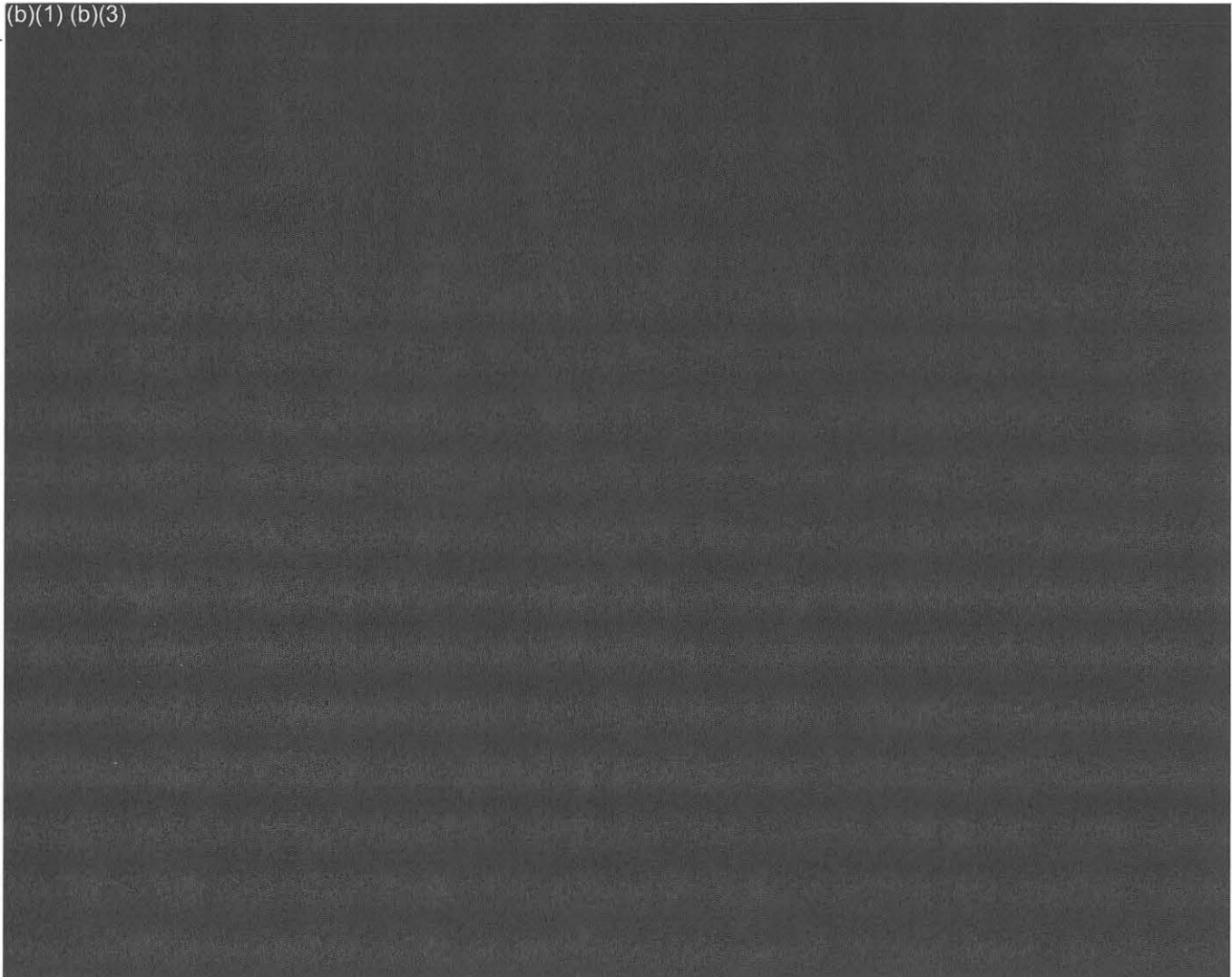


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Classified & Extended By Derivative: 011696, D9c.1,  
D9c.2, D9c.3, D9c.10.

Date of Review for Declassification: 21 April 2002

(b)(1) (b)(3)



  
William French Smith  
Attorney General

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