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FROM : SA/DO/O
TO : ASSOCIATE GENERAL COUNSEL
TITLE : DRIVER CASE (MAIL INTERCEPT) CHURCH COMMITTEE REPORT
DATE : 12/09/1976
PAGES : 2

SUBJECTS : HTLINGUAL

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[R] - ITEM IS RESTRICTED 104-10419-10002
MEMORANDUM FOR: Mr. John K. Greaney
Associate General Counsel

FROM : Philip F. Fendig
SA/DO/O

SUBJECT : DriverCase (Mail Intercept) -
Church Committee Report

REFERENCE : A. OGC Memo 76-6704, 29 November 1976
B. DOJ Letter, 22 November 1976,
Same Subject

1. The reply from our CI Staff in response to
your request for a review of the Church Committee
report on HTLINGUAL (pp 561-636) is attached. Included
in their attachment are copies of several reviews of
the Senate Select Committee drafts as presented.

2. The DOJ asked in Reference B if the facts in
the proposed stipulation are true. We call your atten-
tion to the CIA Staff comments that the material is
essentially correct as far as we are concerned, but the
Office of Security as well should comment.

3. With regard to the DOJ's request in their
letter to provide any documents prepared by the CIA or
other Government agencies which show the Church
Committee report is inaccurate on the mail opening
aspects, we call your attention to Pages 3, 4 and 5 of
the CI Staff comments (Review Staff Document 76-0264).
Speaking for the Directorate only, we do not believe
that this is what Justice is seeking. Briefly, it
does not appear that the material in the report is
that seriously flawed. The comments are addressed to
the Select Committee report with different pagination
than the final version available to us. If you wish
to make this material available to the DOJ in response
to Reference B, we have no objection, although you may
wish to get the concurrence of the OLC who now is
responsible for this material.
4. Briefly, to recapitulate, while an extensive review of the Church Committee report may show certain errors, in our view the errors are not substantial and do not materially alter the facts in the stipulation.

5. We would appreciate an opportunity to review your response to the DOJ in answer to Reference B.

Philip F. Fendig

Atts.

0/SA/DO/O: MASovern:kaw (1542)

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