

SOCOMM MESSAGEFORM			<small>RESERVED FOR COMMUNICATION CENTER</small>																																
SECURITY CLASSIFICATION TOP SECRET			SECRET																																
TYPE MSG	BOOK	MULTI	SINGLE																																
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FROM: [REDACTED] TO: [REDACTED] TOP SECRET HANDLE VIA [REDACTED] CONTROL SYSTEM ONLY [REDACTED] ALSO FOR IC STAFF--PLEASE PASS SUBJECT: EXECUTIVE ORDER 11905--RESTRICTIONS ON ELECTRONIC SURVEILLANCE THE PRESIDENT'S NEW E.O. 11905 ON FOREIGN INTELLI- GENCE CONTAINS A RESTRICTION ON THE TESTING OF ELECTRONIC EQUIPMENT WITHIN THE U.S. OR AGAINST U.S. PERSONS. THE PRINCIPAL PARAGRAPH OF CONCERN IS SECTION 5, PARA (B) (2) PAGE 27 QUOTED BELOW: QUOTE: (B) RESTRICTIONS ON COLLECTION FOREIGN INTELLIGENCE AGENCIES SHALL NOT ENGAGE IN ANY OF THE FOLLOWING ACTIVITIES: (2) ELECTRONIC SURVEILLANCE TO INTERCEPT A			SPECIAL INSTRUCTIONS [REDACTED] DISTRIBUTION: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>DNRO</td><td style="text-align: center;">X</td></tr> <tr><td>DDNRO</td><td style="text-align: center;">X</td></tr> <tr><td>SS-1</td><td style="text-align: center;">X</td></tr> <tr><td>SS-2 EXEC</td><td style="text-align: center;">X</td></tr> <tr><td>SS-2 ADMIN</td><td style="text-align: center;">X</td></tr> <tr><td>SS-3</td><td style="text-align: center;">X</td></tr> <tr><td>SS-4</td><td></td></tr> <tr><td>SS-5</td><td style="text-align: center;">X</td></tr> <tr><td>SS-5C</td><td></td></tr> <tr><td>SS-6</td><td></td></tr> <tr><td>SS-7</td><td></td></tr> <tr><td>SS-8</td><td></td></tr> <tr><td>COMP</td><td></td></tr> <tr><td>RF</td><td style="text-align: center;">X</td></tr> <tr><td>FILE</td><td></td></tr> </table>			DNRO	X	DDNRO	X	SS-1	X	SS-2 EXEC	X	SS-2 ADMIN	X	SS-3	X	SS-4		SS-5	X	SS-5C		SS-6		SS-7		SS-8		COMP		RF	X	FILE	
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TYPED NAME AND TITLE ETMC/deh			PHONE 53433	SIGNATURE TYPED (for stamped) NAME AND TITLE CHARLES W. COOK, DDNRO																															
SECURITY CLASSIFICATION TOP SECRET			REGRADING INSTRUCTIONS E-2 IMPDET																																

**SOCOMM MESSAGEFORM
CONTINUATION SHEET**

SECURITY CLASSIFICATION

~~TOP SECRET~~

PRECEDENCE	RELEASED BY	DRAFTED BY	PHONE
ACTION PRIORITY	CWC	ETMC	52594
INFO			

COMMUNICATION WHICH IS MADE FROM, OR IS INTENDED BY THE SENDER TO BE RECEIVED IN, THE UNITED STATES, OR DIRECTED AGAINST UNITED STATES PERSONS ABROAD, EXCEPT LAWFUL ELECTRONIC SURVEILLANCE UNDER PROCEDURES APPROVED BY THE ATTORNEY GENERAL; PROVIDED, THAT THE CENTRAL INTELLIGENCE AGENCY SHALL NOT PERFORM ELECTRONIC SURVEILLANCE WITH THE UNITED STATES, EXCEPT FOR THE PURPOSE OF TESTING EQUIPMENT UNDER PROCEDURES APPROVED BY THE ATTORNEY GENERAL CONSISTENT WITH LAW. UNQUOTE.

I DO NOT BELIEVE THAT THIS RESTRICTION IS INTENDED TO CURTAIL OUR TYPE OF REQUIREMENTS. HOWEVER, I BELIEVE IT IS IMPORTANT TO OBTAIN A WAIVER OF THIS RESTRICTION SO THAT THE APPLICABILITY OF THE EXECUTIVE ORDER RESTRICTIONS ON OUR REQUIREMENTS IS NOT MISINTERPRETED.

THE NRO STAFF IS IN THE PROCESS OF FORMULATING A PACKAGE FOR SUBMISSION TO THE OSD GENERAL COUNSEL, WHO HAS BEEN DESIGNATED THE DOD IMPLEMENTING AUTHORITY FOR THE EXECUTIVE ORDER. THE PACKAGE WILL:

- A. DEFINE OUR DOMESTIC REQUIREMENTS VIS-A-VIS

CONTROL NO.	TOR/TOD	PAGE NO. 2	NO. OF PAGES 3	MESSAGE IDENTIFICATION	INITIALS
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REGRADE INSTRUCTIONS

SECURITY CLASSIFICATION

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THE EXECUTIVE ORDER; 7

B. REQUEST A WAIVER OF E.O. RESTRICTIONS ON
THE BASIS OF THE NATURE OF OUR REQUIREMENTS;

C. OUTLINE AND REQUEST APPROVAL OF THE NRP
PROCEDURES, AS REQUIRED BY THE EXECUTIVE ORDER, FOR
CONDUCTING AND MANAGING DOMESTIC SURVEILLANCE REQUIRE-
MENTS.

YOUR ORGANIZATIONS' SUPPORT AND PARTICIPATION IN
FORMULATING THIS PACKAGE IS DESIRED. PLEASE PROVIDE THE
NAME AND TELEPHONE NUMBER OF YOUR PROJECT OFFICER FOR THE
EFFORT TO LTC CULLINANE AT OX5-2594 OR OX5-3433 BY
28 APRIL 1976. LTC CULLINANE WILL WORK DIRECTLY WITH
YOUR DESIGNEE IN PREPARING THE PACKAGE FOR MR. PLUMMER
TO FORWARD TO THE OSD GENERAL COUNSEL.

E-2 IMPDET

CONTROL NO.	TOR/TOD	PAGE NO.	NO. OF PAGES	MESSAGE IDENTIFICATION	INITIALS
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REGRAIDING INSTRUCTIONS **SECURITY CLASSIFICATION**
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