

CIA Defies

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Justice

Dept. Memo

Washington

The Central Intelligence Agency has told the Justice Department that it will not comply with a Justice memorandum requiring reports to the attorney general on electronic surveillance equipment, a department spokesman said last night.

The spokesman, Robert Feldkamp, said the 1972 memorandum dealt with domestic surveillance and "CIA is saying that it is exempt essentially because it's not a domestic investigative agency."

The question of CIA compliance is now under study by Justice, Feldkamp said, noting that "at this point the department is not saying CIA is incorrect."

At issue is a memorandum issued in October, 1972, by then Attorney General Richard G. Kleindienst, requiring executive agencies to file annual reports with the Justice Department giving inventories of electronic surveillance equipment, Feldkamp said.

He said that when the department realized the CIA had failed to comply, John Keeney, acting assistant attorney general in charge of the criminal division, wrote a letter to CIA Director William E. Colby bringing the matter to Colby's attention.

In response, CIA general counsel John S. Warner wrote back to Keeney three