

6 FEB 1981

Eric L. Richard
Special Assistant to the Attorney General

Larry L. Simms
Acting Assistant Attorney General
Office of Legal Counsel

On December 30, 1980 you forwarded to this office a memorandum to the Attorney General from the Director of the FBI dealing with certain types of FBI assistance to foreign law enforcement agencies. You asked if we concurred in the legal opinion reached at the Bureau that such assistance is authorized under 28 U.S.C. §533, and, if so, that we assist in preparing the papers necessary to amend the relevant section of the Code of Federal Regulations.

In a memorandum dated August 2, 1976, a copy of which is attached, a departmental "FBI Guidelines Committee" established by former Attorney General Levi reached certain legal conclusions relating to FBI cooperation with agencies of foreign governments, some of which seem relevant to the activities discussed in the current FBI memorandum. We have shared a copy of this memorandum with the Legal Counsel Division of the FBI, and will work with LCD attorneys in any necessary further analysis of the legal issues involved. We understand that the draft guidelines mentioned in the 1976 memorandum have undergone a number of revisions since that time, and we expect to obtain a copy of the most recent version from the Criminal Division in the next day or so.