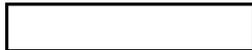


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Please file. All this is CI Staff stuff.
Subject: National Policy on Counterintelligence
and Establishment of a Committee to Implement
Such a Policy.



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AUTH: HR 70-2
DATE: 12/2/81 REVIEWER: _____

D R A F T

19 June 1957

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AIDE MEMOIRE -- Memorandum by the Assistant to the Secretary of
Defense (Special Operations)

1. General Erskine's memorandum, "National Policy on Counter-intelligence and Establishment of a Committee to Implement Such a Policy", dated 7 June 1957, is a restatement of the major themes which have been replayed off and on since early 1951. Throughout the many discussions which have taken place, the two assumptions underlying the proposal have been (1) that there is no national policy regarding counter-intelligence abroad; and (2) that there is a need for another organ independent of the ones already provided by the National Security Act of 1947 and the National Security Council -- the Director of Central Intelligence and the Intelligence Advisory Committee -- to coordinate counter-intelligence abroad. Neither of these assumptions have any warrant in fact.

2. The theories and comments which have been used in the JIC arguments have shifted from time to time. However, the persistent theme for seven years has been the steadfast determination to increase the stature of the service element in counter-intelligence from a departmental level to the national level. In all the discussions, the role of the Director of Central Intelligence has been systematically minimized or even ignored. General Erskine's letter is ambiguous and does not clarify whether the previous uncompromising stand for the creation of a super committee for

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the coordination of counterintelligence policy has been abandoned. Nor does General Erskine's memorandum respond to the DCI's comment regarding the capability of the IAC to perform this function.

3. The DCI throughout the current discussions has reiterated:

(a) there is a national policy for the coordination of counter-intelligence; and (b) there is no need for an additional committee for counter-intelligence coordination if the existing instruments -- the Director of Central Intelligence and the Intelligence Advisory Committee -- are utilized by all of the agencies concerned.

4. NSCID No. 5, Paragraph 2, dated from 12 December 1947, stipulates that the Director of Central Intelligence has the responsibility for conducting all organized counterespionage abroad. The various military components and the representatives of Federal departments are not thereby precluded from carrying out departmental counter-intelligence activities and activities agreed upon pertaining thereto, affecting the security of their installations and commands. Thus NSCID No. 5 provides the foundation for a national counter-intelligence policy abroad. Protective security activity (the security of installations, personnel and operations) may develop into an aggressive activity which we know as counterespionage.

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5. This approach respects the specialized interests of each department in counter-intelligence and simultaneously lodges responsibility in the Director of Central Intelligence for the coordination of those areas which embrace more than purely departmental interests. This system has been effective. It has been inspected minutely and searchingly since 1953. The Task Force on Intelligence Activities headed by General Mark W. Clark in its report noted the differences which prevail in the coordination of U.S. domestic and foreign counter-intelligence. The Clark Committee's conclusions were: "The overall organization of the counter-intelligence effort in the intelligence community is sound and no unnecessary overlap or duplication was found."

6. If indeed the problem has been generated by the wording of NSCID No. 5, Paragraph 2, we are in agreement with General Erskine that appropriate changes should be made. Accordingly a proposed revision has been submitted (see attachment) which should clarify any ambiguity in the concepts and inter-relationship of national and departmental counter-intelligence. In accordance with the spirit of the National Security Act of 1947, the proposed revision sharpens the distinction between national and departmental counter-intelligence and lodges responsibility for the former in CIA.

7. Specific comments keyed to the paragraphs of General Erskine's memorandum follow:

Paragraph No. 1 This paragraph contains two points which concern

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all members of the intelligence community. First, there is a serious misunderstanding or misrepresentation of the views of the Director of the Federal Bureau of Investigation. In his reply the Chairman of the Interdepartmental Intelligence Conference, according to General Erskine, "... considered that an important problem does exist in counter-intelligence policy overseas which makes the establishment of a high-level counter-intelligence committee highly desirable." Actually, Mr. Hoover made it very clear in the final paragraph of his reply that he separated himself from the statement, which he attributed to "the military members of the IIC."

8. It would appear that General Erskine's reply has again raised the question of the whole U.S. counter-intelligence effort, including the domestic aspects. The Secretary of Defense's proposal of 25 April specifically excluded the domestic U.S. counter-intelligence area from the competence of the proposed committee. General Erskine's letter of 7 June however refers specifically to the "counter-intelligence assets of all U.S. agencies possessing a counter-intelligence potential, "(underlining in original). This would appear to be a return to the position in 1952-1953 taken by the JIC which insisted upon the inclusion of the FBI in the proposed counter-intelligence committee. In JIC 562/21, 27 October 1952, in reply to comments made by the Department of State, CIA, AEC, and the FBI, it was stated:

"To eliminate from consideration the United States, her territories and possession, would be unrealistic and might have disastrous consequences

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.... The ad hoc committee attempted to reduce the scope of the problem by deleting references to the U.S. and her policy. However, the service members concluded that the approach would not provide a basis for fulfilling the requests placed on the Joint Intelligence Committee by the field and by foreign agencies."

CIA in all of the discussions since 1951 has made no objections to the exclusion of the domestic area of jurisdiction from the purview of a proposed committee to coordinate national counter-intelligence abroad. It should be noted, however, that this distinction is entirely artificial, because counter-intelligence knows no frontiers and CIA has effective machinery which works closely with the FBI on a day-to-day basis. This liaison recognizes that the FBI's exclusive responsibility for domestic counter-intelligence and counterespionage has numerous ramifications abroad which require coordination with other members of the intelligence community. Therefore, any committee to coordinate policy in counter-intelligence could not do its work effectively without comprising the FBI.

Paragraphs 2, 3 and 4. These paragraphs are concerned with definition. The definition proposed by General Erskine, which repeats the statement in the Secretary of Defense's letter, is not broad enough for the purposes of national counter-intelligence. CIA is invested with statutory responsibilities for national counter-intelligence, which are co-equal and coordinate with its responsibilities for espionage and psychological and paramilitary activities. Any definition to be accepted must recognize this fact. The

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following is a definition which attempts to approach this problem in these terms: "Counter-intelligence is activity undertaken to protect the security of the nation, its people, its instruments against espionage, counterespionage, sabotage and/or subversion. It is activity undertaken to procure information concerning espionage, counterespionage, sabotage, or subversion and to manipulate, penetrate, or repress persons, groups, or organizations conducting or capable of conducting such acts. Counter-intelligence is evaluated, analyzed, integrated and/or interpreted information resulting from these activities".

General Erskine's memorandum repeats another theme which has been developed in the discussions during the past seven years: "no single agency of the government has exclusive responsibilities for protecting all of the interests of the U.S. by means of counter-intelligence measures". This statement is correct, but it does not signify an organizational defect. It does not mean that there is no counter-intelligence coordination or that guidance cannot be provided to the agencies concerned, including the Department of Defense, by the existing instruments of coordination -- the DCI, and the IAC, where the services enjoy substantial membership.

General Erskine's observation regarding the Director of Central Intelligence's reference to counter-intelligence and counterespionage is inappropriate. The reference in the Director of Central Intelligence's memorandum to counter-intelligence or counterespionage as segments of intelligence operations was obviously not intended to be a definition.

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Paragraphs 5, 6 and 7. In these paragraphs General Erskine notes that no overall directive has been issued by anyone which provides guidance to the various U.S. agencies in the conduct of various counter-intelligence operations, and no mechanism exists to carry out coordination in this field. General Erskine lists twelve Federal departments, agencies and committees which he affirms are now carrying out counter-intelligence operations without overall coordination. General Erskine's list is not constructive. It weights operating agencies and departments equally with coordinating bodies and therefore does not distinguish among the various members of the intelligence community according to their respective contributions to national counter-intelligence. Also, it should be noted that among the agencies cited by General Erskine is the FBI, and in his discussion, he does not distinguish between counter-intelligence within the U.S. and counter-intelligence abroad.

Can it be stated that the absence of "an overall directive" is tantamount to a failure in the discharge of executive responsibility? This is dubious doctrine. It can be safely stated that all the agencies concerned in counter-intelligence abroad coordinate or attempt to coordinate to the degree required by their problems. This of the essence in a community, which operates by coordination rather than subordination. There are numerous, almost daily,

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examples of this in the cables from major command areas in

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and General Erskine and

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those who support his views would be on stronger ground if they could cite any current problem or issue which is uncoordinated or is not receiving coordination because of the present organization or procedures of the Federal intelligence community.

Paragraph 8. In this paragraph General Erskine takes up a number of examples concerning which it is affirmed that the Defense Department, in carrying out its NATO role, has been unable to express a U.S. policy regarding counter-intelligence responsibilities. For the purposes of this paper it is not desired to comment on General Erskine's assertion that the Defense Department is "the U.S. national authority on NATO relationships," however, it seems doubtful that this statement can stand without qualification. General Erskine states, further, that the failure to solve the problem impedes "economic planning and overall security", but no evidence is cited to document this claim.

General Erskine puts in evidence five specific examples. In a number of instances, they are old situations, long since satisfactorily resolved through the existing machinery of coordination. In point of fact, therefore, these examples argue to the contrary of the conclusion which General Erskine is attempting to document.

For example, the security situation [redacted] is cited in 25
25X1 detail. CIA holds an extensive file of the discussions which took place on this
matter. The [redacted] case was cited in [redacted] 25
in largely the same terms stated by General Erskine. A memorandum
dated 21 October 1953 addressed by CIA to the Chairman of the JIC made

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it plain that normal practices keyed to the area and the problem would have been sufficient to cope with the situation [] if the Department of Defense had not refused "to permit the establishment of operational relationships in this local area prior to the creation of a national counter-intelligence policy."

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Another example which is cited by General Erskine deals with policy regarding clandestine listening devices. As in the [] episode, the Department of Defense in its handling of the hostile audio surveillance problem attempted during the initial phase of coordination to use the problem for the purpose of establishing an overall Federal counter-intelligence committee. This was opposed by CIA and other participants and a special committee of the National Security Council dealing exclusively with hostile audio surveillance and counter measures has been formed. The committee is carrying out effective coordination within its stated terms of reference. The complaint voiced by General Erskine regarding its work has not been heard--as far as CIA knows-- within the committee itself.

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General Erskine refers to various counter-intelligence "problems" now emerging from the SEATO organization which it is expected will be manifested in MEDO. It is not indicated what these problems are, and therefore it is impossible to discuss them on their merit. Here, as at other points in the discussion, General Erskine's presentation is notably lacking in documentation.

The two remaining examples cited by General Erskine are in effect related aspects of the role of counter-intelligence in war planning at

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SHAPE and other overseas theaters. On these two matters effective planning cannot take place as long as the JIC continues to procrastinate in its formal reply to the Director of Central Intelligence's two 1955 memoranda setting forth his plan for the clandestine services counter-intelligence mission in wartime.* Actually, it is the JIC's refusal to accept CIA as a coordinate element in counter-intelligence war planning which is at the heart of the problem, and therefore it is the JIC which holds the key to a solution. Viewed in this light, both of the counter-intelligence war planning problems cited by General Erskine are departmental rather than national in scope and are easily resolvable by existing machinery.

* "Availability of War Plans to the Alternative Joint Communications Center", 15 June 1955; and "Review of Unconventional Warfare Requirements", 29 October 1955.

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Attachment.

Revision Paragraph 2; NSCID-5, Third Draft

2. The Central Intelligence Agency shall conduct all national counter-intelligence (including counterespionage, countersabotage and countersubversion) operations and activities outside the United States and its possessions, except for the agreed departmental, protective counter-intelligence activities of any Army, Navy or Air Force Command or installation, or of other Departments and Agencies necessary for the security of their classified information, equipment, installations, or personnel.⁹ The Central Intelligence Agency shall be responsible for maintaining the central indices and records of foreign counter-intelligence information. It shall be the obligation of the Departments and Agencies to assist the Central Intelligence Agency in the execution of this responsibility by contributing to the central file, on a continuing basis, all material pertaining to national counter-intelligence.

*JCS never seemed
accept this - This was
the part of "coordination"*

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10 June 57

MEMORANDUM FOR : Director of Central Intelligence

SUBJECT : A Criticism of the Secretary of Defense's Proposal Regarding National Policy on Counterintelligence and the Establishment of an Interagency Counterintelligence Committee

REFERENCE : Top Secret Memorandum for the National Security Council by Secretary of Defense, dated 25 April 1957, subject: National Policy on Counterintelligence and the Establishment of a Committee to Implement Such Policy

DECLASSIFIED BY: [redacted]
 CLASSIFIED TO: [redacted]
 REVIEW DATE: 12/15/81
 REVIEWER: [redacted]

An Old Hat Reblocked

1. The national counterintelligence committee proposed by the Secretary of Defense is the 1957 version of a project launched by the JIC in 1951. In consonance with the spirit and findings of the extensive Hoover Committee investigations into the organization and management of the executive departments, any proposal which espouses the creation of new bodies or organs must be critically examined and carefully weighed. The project suggested by the Secretary of Defense during the past six years has been repeatedly considered, and rejected, for varying reasons by members of the IAC. (These details are traced in the attached annotated chronology.) Throughout all of these deliberations the proposal has remained basically unchanged in its contentions that (a) there is no national



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counterintelligence policy, and (b) there is a need for another organ coordinating counterintelligence abroad and independent of the direction provided by the National Security Act of 1947, as amended, and the National Security Council--the DCI and the IAC. In effect, therefore, the major thrust of the proposal is directed against NSCID No. 5 (and its correlative, DCID-5/1), and against NSCID No. 1.

The Imaginary Vacuum

2. The first question is whether a national policy for counterintelligence on a worldwide basis already exists. Previous statements by the JIC on this point have answered the query with a flat negative. The Secretary of Defense's memorandum of 25 April gives the same reply by implication.
3. This view is erroneous. The foundation stone of a national counterintelligence policy abroad, NSCID No. 5, paragraph 2, dates from 12 December 1947. This instrument confers upon the DCI the responsibility for conducting all organized counterespionage abroad and leaves to the various military commanders and representatives of other federal departments abroad responsibilities for carrying out the counterintelligence activity, and activity agreed upon pertaining thereto, which affect the security of installations and commands.

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4. The national policy which emerges from NSCID No. 5, paragraph 2 is unitary as it applies to counterespionage abroad. ("The Director of Central Intelligence shall conduct all organized counterespionage operations outside the United States and its possessions and in occupied areas.") It is decentralized only with regard to the broad protective security area commonly referred to as counterintelligence. (The DCI's authority, "should not be construed to preclude the counterintelligence activities of any army, navy or air command or installation and certain agreed activities by departments and agencies necessary for the security of such organizations.") The intent, the wisdom of which is rooted both in a respect for our traditions and an appreciation of the complexities of the problem, was to permit each of the departments and agencies abroad, including CIA, to carry out all of those minute passive and active, protective and repressive measures which are designed to protect, or enhance the security of personnel, installations, and operations.

5. There is and has been from the inception of the system contemplated by the National Security Act of 1947, as amended, a national policy on counterintelligence. The issue which underlies the Secretary of Defense's proposal is not, therefore, whether or how to formulate such a policy but whether the

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Director of Central Intelligence (and the IAC) shall remain the pivotal element in the field of counterintelligence, as is provided by present statute and usage on whether present responsibilities and powers shall be transferred.

6. Assisted by advisors drawn from agencies with intelligence or counterintelligence interests abroad--the IAC--the DCI is in a position to resolve all conflicts and problems affecting the operations of the intelligence community abroad and he has done so for the whole spectrum of intelligence and counterintelligence operations when he issued DCID 5/1.

7. Summing up, it is clear that a national policy exists, in NSCID-5, paragraph 2 and NSCID - 1, that adequate coordinative mechanisms and policies are already in effect, and that the creation of another committee on the National Security Council or any other level is not required. Moreover, a committee formed on the terms presently proposed by the Secretary of Defense shows no regard for the structure of the national security as presently organized and would indeed violate its spirit by curtailing the stature granted the DCI by law and practice in the field of federal intelligence coordination. The proposed committee could be assigned the proposed functions only if the Director of Central Intelligence were stripped of his present responsibilities for both direction and

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coordination in the vital area of counterespionage and counterintelligence. Should he be divested of those responsibilities, the United States would revert to precisely that pre-war lack of coordination and centralization which required the creation of CIA in the first place.

8. Nowhere in his covering letter does the Secretary of Defense indicate that his counterintelligence needs are not served adequately at present. The change should be documented so that consideration can proceed from facts rather than preference. The two examples cited by the Secretary of Defense's covering letter--counterintelligence policies and relationships arising from U.S. security pact membership (NATO, SEATO and MEDO), and the security of U.S. installations, organizations and activities and bilateral security arrangements with host countries--do not require the creation of an Interdepartmental Security Committee. The problems present no new challenges and can be handled on an ad hoc basis through the DCI and the IAC, if there is a will to make full use of these mechanisms.

What Counterintelligence Is

9. It is proposed now to examine only the basic elements of the Secretary of Defense's proposal. No point-by-point

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rebuttal will be attempted. A proposal which in its essential elements has been considered, reconsidered, and rejected by the intelligence community over the past six years is impeached by its own history. Those elements of the proposal are considered which would compel the DCI to accept the Secretary of Defense's frame of reference; and it is precisely the frame of reference which must be rejected.

10. There is at the outset a question of definition. The Department of Defense paper defines counterintelligence as "...that phase of intelligence covering all activity devoted to destroying the effectiveness of inimical foreign activities and to the protection of information against espionage, personnel against subversion, and installations or material against sabotage." This definition hews closely to the line of the Military Dictionary for Joint Usage. But the military concept of counterintelligence is too narrow and too closely geared to the security of the armed forces to be adopted as a working basis for the intelligence community and as a platform for the defense of the US counterintelligence and counterespionage interests abroad.

11. Counterintelligence is the broad field of security which affects operations. It has passive and active applications

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to personnel, installations, equipment, training, and research. It includes a sector of aggressive, seeking out of inimical activity generated by individuals or associations. This sector is commonly referred to as counterespionage and is largely concerned with identifying, neutralizing, or counter-utilizing adversary efforts directed from abroad against the Zone of the Interior or against American interests, personnel, or installations abroad.

12. The definition stated in the Secretary of Defense's proposal identifies all of these elements as counterintelligence and ignores the very real distinctions which result from the assignments placed upon the members of the intelligence community by NSCID 5, paragraph 2.

13. The DCI under existing statutes, as noted above, has ineluctable responsibilities for the conduct of US federal counterespionage abroad. He possesses similar responsibilities and powers of coordination in the overt and covert activities pertaining to this as well as other fields of activity. His responsibilities cannot be limited by a definition, such as the one proposed by the Secretary of Defense, which views all protective security activity abroad as counterintelligence,

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but it takes no specific account of the fact that counterintelligence includes the area of counterespionage.

14. The DCI as head of the Central Intelligence Agency is necessarily concerned with counterintelligence abroad as much as, if not more than, other members of the federal community because a counterintelligence problem by definition exists wherever CIA maintains personnel or conducts operations abroad.

15. The plain intent of the framers of NSCID - 5 and NSCID-1 was to create a limited number of organs capable of resolving problems of coordination within the intelligence community. The plain intent of NSCID - 5, paragraph 2, is to make protective counterintelligence (the security of installation and operations) a charge upon the commands or organizations directly concerned. It is obvious that protective security activity will develop under certain circumstances into aggressive counterespionage. When this shift occurs NSCID No. 5, paragraph 2, as interpreted by DCID 5/1, contemplates that such activity will be coordinated by the DCI or his respective representative abroad with the commands or organizations concerned. This approach, if it is actively and unreservedly implemented by all members of the intelligence community,

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is four-square and covers all possible contingencies. It respects the check and balance principle which has been applied throughout the organization of federal departments and simultaneously lodges responsibility for coordination in those areas which involve more than purely departmental interests in the DCI.

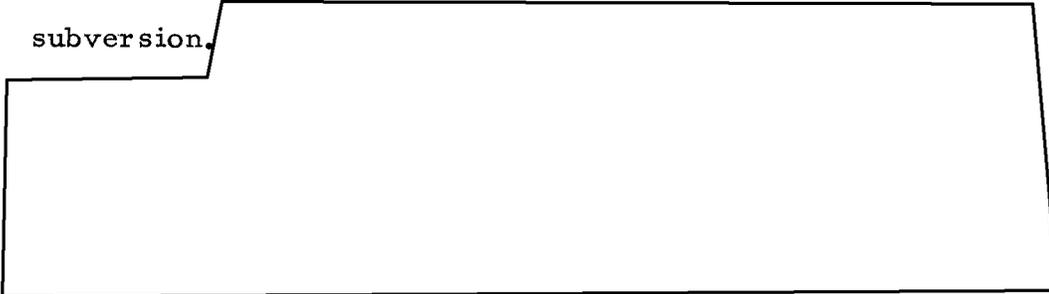
16. The language of the definition of counterintelligence given in the Secretary of Defense's proposal is, therefore, unacceptable as a basis for action and policy applicable to the US intelligence community. The definition must be broader. It must inferentially place the problem of military security in the proper perspective. It must permit the safeguarding of long-range US counterintelligence interests in the development of intelligence and security liaison abroad. Above all, it must provide for clear responsibility in the coordination of aggressive counterespionage and counterintelligence,

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17. Explicitly since December 1954, implicitly since its inception in 1947, CIA has discharged its responsibilities for NSCID-5, paragraph 2, on a basis of such a definition.

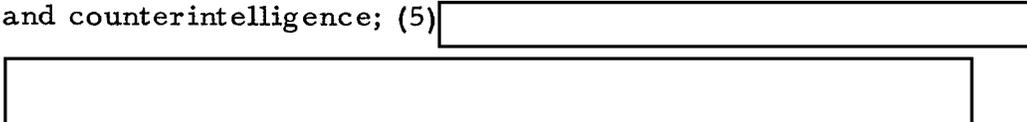
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18. Counterintelligence in CIA's definition is activity undertaken to protect the security of the nation or an internal organization against espionage, sabotage, and/or subversion.



Finally, counterintelligence is evaluated, analyzed, integrated, and/or interpreted information resulting from and in these activities.

19. In pursuit of its statutory mission CIA has performed and is performing under the definition activity designed (1) to protect the security of its own operations; (2) to identify, neutralize, or counter-utilize adversary efforts directed from abroad against the Zone of the Interior; (3) to identify, neutralize, or counter-utilize adversary efforts abroad against American interests, American personnel, or American installations abroad; (4) to make its counterintelligence product available to assist members of the intelligence community to the performance of their tasks in the fields of intelligence and counterintelligence; (5)



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A comparison of the two definitions leaves no doubt about which provides the more adequate basis for an approach to problems of counterintelligence abroad. The area of liaison, which is touched but not explored in the Secretary of Defense's letter, provides a practical example that the problems of military security are not co-terminal with the whole area of federal counterintelligence abroad. [REDACTED]

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[REDACTED]

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[REDACTED]

How Many Heads?

20. It is doubtful that the proposed committee could deal effectively with the problem. [REDACTED]

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[REDACTED]

It must

be based upon the broadest national interest; it must be internally consistent and long-range in its objectives; it must be flexible and quickly responsive to opportunity; and finally, it must be buttressed by authority.

21. Another assumption in the position taken in the proposal made by Secretary of Defense is that "no single agency is assigned the exclusive counterintelligence responsibility for protecting all US interests." There is no need for this reminder. The principle of non-exclusivity has been patently operative in the system which had been developed by the

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intelligence community since 1947 under NSCID-5, paragraph 2 and DCID 5/1 and NSCID-1. NSCID 5, paragraph 2, provides for the decentralization of self - protective security responsibilities among the members of the community abroad. However, the DCI bears the primary counterespionage responsibility abroad, as fixed by NSCID 5, paragraph 2. Moreover, as Gen. Smith stated (in a memorandum dated 7 May 1954), the National Security Council has required the DCI to exercise "a more definitive authority than that of a coordinator".

22. In summary, therefore, the assumption of the Secretary of Defense's proposal that no single agency is assigned exclusive counterintelligence responsibilities abroad may be accepted. This counterintelligence protection of its own installations and employees is required of each member of the federal intelligence community.

23. But coordination of US counterespionage abroad is desirable and is undoubtedly as close or closer to the interests and convictions of the DCI as of the Secretary of Defense. The need for coordination is more acute in counterintelligence than in any other form of intelligence, but bureaucratic common-sense enjoins that such coordination be effected by a single coordinator, not by a committee. There

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can be no question that US interests abroad and at home are best served when the plans, capabilities, and assistance of foreign intelligence services funnel into a single center and when all countermeasures are devised and directed from that point. It is, however, folly to hold that such a focal point should or could be a committee such as that proposed by the Secretary of Defense. The proposal is a product not of broad contemplation but of tunnel vision.

24. For example, the Secretary of Defense suggests that the proposed committee shall report directly to the NSC on counterintelligence matters which cannot be resolved cooperatively. Such a procedure is too cumbersome to permit the U.S. to meet the practical problems of conducting counterintelligence abroad. Hostile services prying at U.S. secrets of state will not pause while the committee debates at length, submits a memorandum of disagreement to the NSC, and obtains a decision. One of the primary rules of counterintelligence is that timing remains in the hands of the adversary.

25. All the evidence we have indicates that (1) Soviet intelligence and security services are effective and are growing increasingly more effective; (2) that the Western Satellite services under the tutelage of the USSR are also increasingly dangerous; (3) that the Western Satellite services do not confine

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their activity to national programs but serve as projections and arms of Soviet intelligence; and (4) that similar arrangements and circumstances prevail in Communist China, Viet Minh and North Korea. We are engaged by twelve Communist countries (including Yugoslavia) which in intelligence and counterintelligence operate at home and throughout the world through thirty separate services, totalling an estimated 178,000 intelligence and counterintelligence personnel. The highly centralized system of the Soviet intelligence method and control permits an attack against the US, which at the present time is the number one target, to be launched from thousands of points but directed from a single center.

26. This is the adversary and this is the threat. It is undoubtedly true that US defenses must also be centralized. A single director already exists to carry out the coordination of efforts abroad designed to neutralize the multiform clandestine attacks on the US and he had an advisory body from the intelligence community to help him do the job. The committee proposed by the Secretary of Defense, in effect, invests equal powers of

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policy and direction in each working level counterintelligence component of the US community. This committee would not unify; it would fragmentize.

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c. The proposed committee should formulate counterintelligence and security objectives, policies, and plans. It "should be under the National Security Council and should be composed of representatives of the Departments of State, Army, Navy and Air Force, the Federal Bureau of Investigation, the Central Intelligence Agency, the Atomic Energy Commission and the Joint Staff." (It should be noted that whereas the committee concept emerged in 1951, this 1952 paper first proposed the composition of the committee. A further refinement, however, did not appear until reference was issued in 1957. The 1952 proposal quoted above envisaged the committee as composed of representatives of four civilian and four military bodies. The 1957 proposal breaks this incipient deadlock by the forthright expedient of adding another military member to the committee.)

6. The 1952 model was sent to the IAC with a request for comment or concurrence "in order that the report, when submitted to the Joint Chiefs of Staff, may contain the views of the Intelligence Advisory Committee".

7. JIC 562/15, quoted in paragraph 5, above, was withdrawn from consideration, however, by the JIC on 12 June 1952 (by JIC 562/191D) because the paper failed to exclude from its considerations "the continental limits of the United States and her territories and possessions". As JIC 562/21 later made clear, JIC 562/15 encountered FBI objections and was withdrawn and modified for that reason.

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8. It appears that the proposals for establishing a counter-intelligence committee were forwarded separately to CIA by JICM-387-52, dated 13 June 1952. On 26 June 1952 the DD/P, replying for the DCI, included the following comment in his answer: "It is the opinion of this Agency that already existing machinery for the direction and coordination of this aspect of the United States intelligence effort is adequate, if fully employed."

9. JIC 562/21, 27 October 1952, is a report of a meeting between representatives of the four civilian agencies (State, CIA, AEC, and FBI) and JIC members on 8 July 1952. This report cites civilian objections and military rebuttals.

a. The civilian objections are summarized as follows:

(1) Existing governmental machinery is sufficient.

(2) The terms "counterintelligence" and "military interest" require more specific definition.

(3) The proposed committee "cuts across statutory responsibilities, Presidential directives and other (sic) agreements".

(4) There is no demonstrated need for a new committee as far as internal security is concerned.

(5) "Problems of coordination can be solved through the IIC and 'liaison'."

(6) Committees introduce confusion and lead to inefficiency.

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b. The military replies were essentially as follows:

(1) The civilian objections "do not attack the basic problem".

(2) "There is a need for U.S. CI policy and for a forum to which worldwide problems may be referred for discussion."

(At no other point between 1951 and 1957 did the military suggest that the proposed committee would be merely a forum; the sustained concept is that of a policy-making body.)

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(3) "To eliminate from consideration the United States, her territories and possessions, would be unrealistic and might have disastrous consequences.... The ad hoc committee attempted to reduce the scope of the problem by deleting references to the United States and her possessions. However, the Service members concluded that this approach would not provide a basis for fulfilling the requests placed on the Joint Intelligence Committee by the field and by foreign agencies."

(4) "It was also suggested by representatives of the civilian agencies.... that IAC was the proper forum to accomplish the measures and objectives set forth in J.I.C. 526/15. Although it is true that all agencies with CI interests are represented on the IAC, with the exception of the ... Office of Special Investigations, the IAC is an advisory body to the Director of Central Intelligence, and its charter does not include the promulgation of national CI policies and programs."

(This retort is beside the point. No advisory body, by definition, has the power to pronounce policy. This power by law is lodged in the President and the National

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Security Council. But pursuant to NSC directions the Director of Central Intelligence does have broad and unique implementing power, which is invested in him by paragraph 3c of NSCID No. 1.)

(5.) "It is further developed during the deliberations of the ad hoc committee that the United States is particularly deficient in the matter of presenting a solid front in CI matters in its dealings with friendly foreign nations or groupings of nations. In this connection, individual agencies are placed in the position of having to speak for the whole nation without benefit of close and complete coordination on national plans as they are affected by national problems. The results of this condition... is (sic) graphically represented in the U.S. failure to achieve smooth working relations in the field of CI with our Allies." (There can be no "solid front in CI matters" entailing liaison until U.S. agencies desist from unilateral and uncoordinated intelligence and counterintelligence liaison relationships. Individual intelligence agencies are not "placed

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in a position of having to speak for the whole nation,"

They speak for themselves; and if they present themselves as representing the U.S. as a whole, they do so wrongly.)

(6) "The term 'military interest' in its broadest aspect is synonymous with the national interest, since the military services were brought into being for the protection of the United States...." (It is doubtful that the concept enunciated in the first part of this sentence would survive in the market place of American military theory and practice.)

10. It should be noted that the military rebuttals do not mention CIA's contention that existing mechanisms are sufficient if properly utilized, except for the quoted statements about the IAC. Neither does this paper come to grips with the request that deficiencies in the present system be stated factually. [REDACTED]

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[REDACTED] In effect, the JIC charged that the lack of central counterintelligence policy and a counterintelligence committee had made it impossible to solve certain CI problems encountered

[REDACTED] by the CINCLANT. A memorandum of 21 October 1953 from

[REDACTED] to the Chairman of the JIC makes it plain that normal practices, keyed to the area and problem, would have been sufficient

25X1 to cope with the situation [] if the Department of Defense
had not refused "to permit the establishment of operational relationships
in this local area prior to the creation of a national counterintelligence
25X1 policy." [] memorandum adds, "From such examples as that
25X1 of [] local solutions, recommended and agreed to by the area
commanders of the services involved, appear to be necessary for experi-
ence and guidance before efforts to establish national policy can be
productive.

11. The instances cited by the Department of Defense of alleged
failures or weaknesses in U.S. counterintelligence planning and coordination
do not reveal actual inadequacies in the existing mechanism. The initial
(1951) military arguments for the creation of the proposed committee were
founded largely on theory: the so-called "principle of command respon-
sibility". This theory disappeared from military argumentation in 1952
because the armed forces then began to seek to extend their potential
area of counterintelligence jurisdiction from theaters of war to the entire
world. An attempt was also made to justify the new doctrine by charging
that the existing machinery was inadequate, but the CI files do not show
that concrete facts to support or prove this charge have been adduced by

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the military, with the single exception of in which instance
the charge was false. The Secretary of Defense's current presenta-
tion adduces no new facts. In brief, the theories and claims used to
buttress the military argument have shifted from time to time; what
has remained steadfast is military determination to increase its
influence in counterintelligence at all levels, from operations to
policy.

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12. As is noted in a memorandum of 7 May 1954, General Smith presented a CIA draft concerning agreed activities in March or April 1952 at an IAC meeting. The draft provided "that plans for espionage and counterespionage operations conducted by the service agencies should be coordinated with and approved by the DCI". Confronted with a specific counter-proposal (actually a reaffirmation of the responsibilities and powers of the DCI), the military establishment did not accord that proposal the consideration which CIA and other civilian agencies had granted to the JIC position. "At the instance of General Ridgway (CINCPAC) and without reference to the DCI paper on Agreed Activities, the JCS directed the JIC to negotiate a new agreement." The JIC response was rejected in June 1952 by General Smith because it provided for CIA coordination but not for CIA approval. "General Smith observed that the NSC directive requires the DCI to exercise 'a more definitive authority than that of a coordinator'."

13. Six months later, in January 1953, the JIC committee submitted to Mr. Dulles, then the DDCI, a draft which provided, among other things, that all basic plans would be "coordinated and approved" by the DCI. "The service agencies have never agreed to this draft and have not informed CIA of the reaction of the various theater commanders" to whom the draft was sent.

14. The report of the Task Forces on Intelligence Activities

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headed by General Clark (June 1955 noted, "No committees such as the Interdepartmental Intelligence Conference and the Interdepartmental Committee on Internal Security have been established to coordinate the overseas counterintelligence effort." It can be assumed therefore that the Task Force examined in detail the assumptions and objectives of the JIC project. The Task Force did not recommend that an overseas counterintelligence committee be established. On the contrary, the report adds (in a paragraph headed "Evaluation of the Effort") the following: "The over-all organization of the counterintelligence effort in the intelligence community is sound and no unnecessary overlap or duplication was found."

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15. A memorandum from General Erskine to the DCI, 24 April 1956, states that the JCS had recommended the establishment of the interdepartmental counterintelligence committee to the Secretary of Defense. This memorandum contains essentially the same proposals as had been made repeatedly by the military in 1952 and thereafter. Only two developments are new. The first is an argument that the need for the proposed committee is "all the



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(This quotation demonstrates the technique of employing topical non sequiturs in an attempt to support military aims, as was

25X1 also done with the episode  The second new development is a recommendation by the JCS that the "problem" be referred to the NSC. The Secretary of Defense wished, however, that an attempt to achieve interdepartmental agreement precede such action.

16. A memorandum prepared by General Truscott and dated 11 May 1956 deals with a conference on the matter held by the DCI and General Erskine on that date. General Erskine stated the military position (as detailed above) and added that the JCS had

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directed him to obtain the views of the DCI. "The DCI pointed out that the CIA had primary responsibility for counter-espionage abroad and that military establishments had no special interest except in areas where U.S. forces were stationed, and in cases in which the military establishments were involved....

He added that he did not favor another inter-agency committee, and General Erskine concurred." The DCI added "that since the establishment of a new inter-agency committee with jurisdiction in this field was most undesirable, it might be more appropriate to submit the problem for discussion by the IAC.

General Erskine agreed that this was a possibility and added that the JCS representative on the IAC offered a suitable mechanism for presenting the problem. DCI agreed and added that he would welcome having General Erskine make any presentation that he might desire to the IAC if the subject were presented to this Committee. General Erskine indicated that he would follow this course."

17. The record does not reflect any subsequent discussion during 1956 of the JIC proposal in the IAC as recommended by the DCI. It is assumed, therefore, that the proposal was not taken up in the IAC and for tactical reasons the proposal's sponsors addressed the proposal in its present form directly

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