


15 April 1976

NOTE FOR LEGISLATIVE COUNSEL

George:

Per our conversation, this is a cut at the two-deputy business which I mentioned at our meeting this afternoon. I have given a copy to Dick Lehman. It should be handled discreetly. It would be our hope that something along this line can eventually bear the signatures of both deputies.

I hope that it is useful in framing the next steps.

  
E. H. Knoche  
AD/DCI/IC

cc: Mr. Lehman

Attachment:  
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MEMORANDUM FOR THE RECORD

SUBJECT: The Two DDCI's

1. Until the current laws governing the CIA, the DCI and the DDCI are rewritten to accommodate the "two-deputy" concept, some special authorities go to the DDCI appointed by the President and confirmed by the Senate. The General Counsel can determine and stipulate what those special authorities are.

2. We recognize that there are practical problems associated with an initiative now to seek a legislative amendment to the Act of 1947 and 1949 to cover the two-deputy arrangement, but we believe such an initiative should be taken as soon as possible in order to remove ambiguity and make the arrangement clear. The President's Commission on CIA Activities Within the United States and the Senate Select Committee on Intelligence have recommended the two-deputy arrangement and it is a feature of the President's Executive Order 11905 also. No additional rationale for fresh legislation would seem required.

3. In the meantime, the duties of the two deputies (the Deputy to the DCI for CIA and the Deputy to the DCI for the Intelligence Community) can be identified as follows:

The Deputy for the Community

- shall be the principal Deputy to the DCI (a point to be incorporated in new legislation) *in executive order or DCI Agency Directive*
- shall be the Vice Chairman and Executive Secretary of the CFI and the NFIB;
- shall direct the Intelligence Community Staff (which is the staff of the CFI);
- shall make recommendations on NFIP programs, resources and issues to the CFI and shall maintain data pertaining to the NFIP;

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- shall monitor within the Intelligence Community the implementation of intelligence policy and program directives emanating from the President, NSC, CFI, Intelligence Oversight Board and the Director of Central Intelligence;
- shall evaluate programs and products of the NFIP;
- shall advise the DCI on Intelligence Community matters;
- shall coordinate the activities of and provide staff support for all DCI Committees, except for the DCI Committee of Inspectors General which shall report directly to the DCI;
- is responsible under the DCI for the following of the DCI's responsibilities as listed in NSCID #1:
  - ensuring the development and submission of a budget for the NFIP to the CFI;
  - assisting in the development of national intelligence requirements and priorities;
  - establishing procedures to ensure the propriety of requests to the Intelligence Community;
  - ensuring that appropriate programs are developed which properly protect intelligence sources, methods and procedures;
  - establishing a rigorous program to downgrade and declassify foreign intelligence information, consistent with the E. O.;
  - assisting the DCI in advising the President and others on Intelligence Community matters;
  - ensuring the establishment of common security standards for handling foreign intelligence and for granting access thereto;

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- establishing uniform criteria for transmission of critical intelligence;
- consulting with users and producers of intelligence to ensure timeliness, relevancy and quality of the intelligence product.

The Deputy for CIA

- shall manage and operate, under the DCI, the Central Intelligence Agency;
- is the CIA Member of NFIB;
- is the manager of the CIA Program, an element of the NFIP;
- shall provide production support to the DCI and the national intelligence production authority;
- shall carry out, under the DCI, the functions assigned to CIA under Executive Order 11905;
- is responsible, under the DCI, for the following of the DCI's responsibilities under NSCID #1:
  - plan, review and evaluate all CIA activities and allocate CIA intelligence resources among its subordinate components;
  - contribute to the production of national intelligence;
  - provide CIA representation on Intelligence Community advisory boards and committees;
  - assist in developing priorities for collection and production of national intelligence and for undertaking, as directed, other foreign intelligence activities, e. g., covert action;
  - formulate policies with respect to arrangements with foreign governments on intelligence matters;
  - concert with the Deputy for the Community in developing standards relating to protection of sources and methods.

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4. Until the law is rewritten, and pending better understanding -- through workaday experience -- of how the two deputies will operate and inter-relate in practice, we believe this is far enough to go in defining duties and distinctions. Vagaries exist; in the absence of the DCI, attendance at meetings of such bodies as the NSC, OAG, PFIAB; the Intelligence Oversight Board is not clear-cut. Nor is it entirely clear how some DCI correspondence not explicitly either Agency- or Community-related is to be handled. Both of us realize, however, that intelligent resolution of such vagaries depends on the consultation and collaboration of us and our staffs. The issue may be vague but it is clear to us that jointness of approach will insure the best possible handling of the DCI's business in his absence.

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