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INTELLIGENCE COMMUNITY ORGANIZATION AND FUNCTIONS

BOOK I

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INTELLIGENCE COMMUNITY ORGANIZATION AND FUNCTIONS

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## **THE INTELLIGENCE COMMUNITY**

- **Central Intelligence Agency**
- **National Security Agency**
- **Defense Intelligence Agency**
- **Special offices in DoD for specialized intelligence collection through reconnaissance**
- **Intelligence elements of Army, Navy, Air Force**
- **Intelligence element of the FBI**
- **Intelligence element of State Department**
- **Intelligence element of Treasury Department**
- **Intelligence element of ERDA**

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COMPONENTS OF THE INTELLIGENCE COMMUNITY

Executive Order 11905 defines the component elements of the Intelligence Community as listed in the chart at the left.

The "national programs" which account for about [redacted] of the resources in the budget for the National Foreign Intelligence Program are:

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- The Central Intelligence Agency;
- The National Security Agency and those elements of the Army, Navy and Air Force cryptologic services subject to NSA tasking and control;
- [redacted]

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The other organizational elements listed on the chart are "departmental programs." They provide inputs to national intelligence, but exist primarily for departmental purposes.

The listed organizations vary markedly in size. [redacted]

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The Committee on Foreign Intelligence, which has responsibility under E.O. 11905 to designate which departmental intelligence programs are to be included in the National Foreign Intelligence Program, decided to include:

- Those Army, Navy and Air Force intelligence elements which are in the Defense Department's Program Three, "Intelligence and Communications;"
- The Bureau of Intelligence and Research of the Department of State;
- The Intelligence Division of the Federal Bureau of Investigation;
- The Treasury Department's Special Assistant to the Secretary for National Security and his staff;
- The Deputy Assistant Administrator for National Security and his staff in the Energy Research and Development Administration.

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## **ROLE OF THE D C I**

**Chairman, Committee on Foreign Intelligence (CFI)**

**Executive head of the CIA and Intelligence Community Staff (ICS)**

**Primary advisor to the President on foreign intelligence**

**Principal spokesman to the Congress for the Intelligence Community**

## **National Intelligence Officers**

Deputy to the DCI for the National Intelligence

**SOVIET UNION AND EASTERN EUROPE**

**WESTERN EUROPE**

**CHINA**

**JAPAN AND THE PACIFIC AREA**

**SOUTH AND SOUTHEAST ASIA/AFRICA**

**MIDDLE EAST**

**LATIN AMERICA**

**STRATEGIC PROGRAMS**

**CONVENTIONAL FORCES**

**ECONOMICS AND ENERGY**

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THE NATIONAL FOREIGN INTELLIGENCE PROGRAM

One of the most important responsibilities of the DCI is the annual development of the National Foreign Intelligence Program and the budget which supports this program.

All the resources of the organizations identified as part of the Intelligence Community are included in the NFIP.

From 1947 until the mid-1960s the DCI had no responsibility for the program and budget of any intelligence organization other than the CIA.

As the United States entered the space age and the potentialities of collecting intelligence from space began to emerge, the CIA and the Air Force were in strenuous competition in the development of capabilities in space.

To improve management of the overall effort, the Deputy Secretary of Defense and the DCI signed a Memorandum of Understanding in August 1965, one result of which was establishment of an Executive Committee with responsibility for decisions on the program and budget of U.S. intelligence activities in space.

Members of the EXCOM originally were the Deputy Secretary of Defense, Chairman, the DCI and the President's Science Advisor.

Following abolishment of the Science Advisor post, and appointment of an Assistant Secretary of Defense for Intelligence, the EXCOM became a two-man organization, with the DCI as Chairman and the Assistant Secretary working with him.

The next step toward expanding the DCI role with regard to Community resources and budgets came in the President's memorandum of 5 November 1971 on "Organization and Management of the U.S. Foreign Intelligence Community," which was reflected in the February 1972 revision of NSCID No. 1.

The President's 1972 directive markedly expanded the DCI's responsibilities, but did nothing to increase his actual authority.

The DCI was charged in this directive, among other things, to develop an annual National Foreign Intelligence Program/Budget for the entire Intelligence Community and submit it to the President through the Office of Management and Budget.

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The President established an Intelligence Resources Advisory Committee, which the DCI chaired, and which advised him on budget and program matters.

During the discussions in late 1975 and early 1976 which led to issuance of Executive Order 11905 on 18 February of this year, considerable attention was paid to the role of the DCI and the problem of developing a budget and program for the entire Intelligence Community.

The result, in this field, was the provision in the Executive Order for establishment of the Committee on Foreign Intelligence as an element of the National Security Council structure.

The DCI is chairman of the CFI and other members are the Deputy Secretary of Defense, and the Deputy Assistant to the President for National Security Affairs.

Among the responsibilities assigned to the CFI is that it, "shall control budget preparation and resource allocation for the National Foreign Intelligence Program" and "shall review and amend as it deems appropriate" the budget for the NFIP before it is submitted to the Office of Management and Budget.

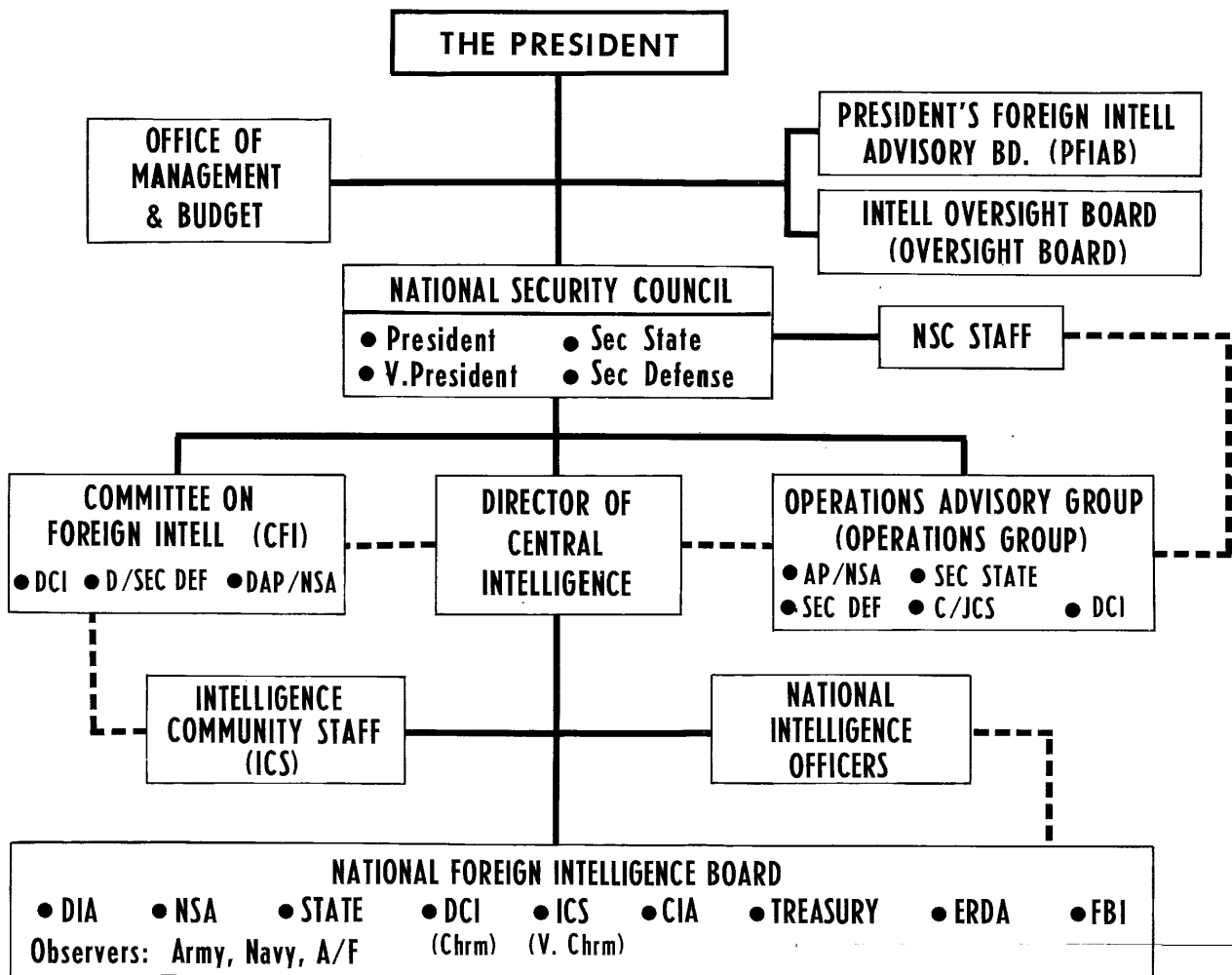
To date the CFI has devoted primary attention to the NFIP budget for FY 1978, although it also provided a Community reclama to the Senate and House conference on the FY 1977 budget and accomplished a number of other tasks such as revision on the NSCIDs to bring them into consonance with the Executive Order 11905.

This Order makes the DCI responsible to "ensure the development and submission of a budget for the National Foreign Intelligence Program to the CFI" and assigns the Intelligence Community Staff responsibility to provide staff support for the CFI.

The CFI completed its initial review of the FY 1978 program in early summer, and provided preliminary program/budget decisions to the program managers. A sizeable number of budget issues were identified for study.

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# Control and Direction of U.S. Foreign Intelligence within the NATIONAL SECURITY COUNCIL System



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He meets regularly with the President's Foreign Intelligence Advisory Board.

His role as spokesman to the Congress on intelligence matters, while time consuming, keeps him in continuing contact with all of the Congressional committees which have a role in intelligence oversight and in budget matters.

#### OPTIONS FOR CHANGE

Recognition of the anomalies in the role of the DCI has been reflected in recent examination at senior levels of the Government of various organizational options applicable to definition of the role of the senior U.S. foreign intelligence officer, whether or not he is termed the DCI.

The four options to which particular attention has been given, and the PROs and CONS applicable to each are outlined in the following paragraphs.

#### THE FIRST OPTION

The senior foreign intelligence officer would be a member both of the White House Staff and of the National Security Council. He would have supervisory and direct management authority over the major national intelligence organizations-- CIA, NSA and NRO. The CIA would have a separate director. The NSA and NRO would each become a statutory executive agency. The senior intelligence officer would have responsibility for production of national estimates and for the warning function, and would have a staff for these purposes. Departmental and agency intelligence would be a responsibility of the departments and the CIA. Community coordination mechanisms would be as desired by the senior intelligence officer.

##### a. PROs

(1) The President and the Congress would have one man upon whom to charge responsibility for effectiveness of the U.S. national intelligence effort--and that man would have the tools to carry out the job.

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(2) The national intelligence effort would be highly centralized through direct management controls from the top, embracing CIA, NSA and special reconnaissance activities.

(3) Responsibility for substantive national intelligence of direct interest to the President and the NSC would be located in the White House Staff.

(4) The Intelligence Community would have a senior spokesman with greater access to the President than the DCI now has.

(5) Separation of the senior intelligence officer from CIA would eliminate any charge of favoritism from other agencies.

(6) Clear delineation of organizational functions and responsibilities would be enhanced.

b. CONs

(1) Such extreme concentration of intelligence authority in a single person would pose serious problems if that person is politically motivated and more interested in responding to policymaker desires than in concentrating on unbiased intelligence.

(2) The Department of Defense could be expected to object strenuously to separate executive agency status for NSA and special reconnaissance activities, which are now within Defense.

(3) Major legislative actions would be required.

(4) The necessary bureaucratic changes would have a major, if only temporary, unsettling impact within the Intelligence Community.

(5) Unless adequate coordination machinery is provided, conflict could arise among the departmental secretaries and the senior intelligence officer over estimates prepared in the White House Staff and over what is national and what is departmental intelligence.

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(6) The senior intelligence officer would require a sizeable separate staff.

(7) The national intelligence and warning production staff would be handicapped by lack of direct access to the analytic base.

#### THE SECOND OPTION

The senior intelligence officer would be attached to the Office of the President and serve as advisor to the NSC. The CIA would have a separate director. The senior intelligence officer would have responsibility for production of national estimates and for the warning function. Budgets of the CIA, NSA and special reconnaissance activities would require approval of the senior intelligence officer, but he would have no direct management authority over these organizations. NSA and conduct of special reconnaissance activities would remain, as now, within the Department of Defense structure. The senior intelligence officer would serve as Inspector General of the Community for the President.

##### a. PROs

(1) Some of the PROs for this option are the same as those for Option One:

(a) Increased access to the President by an intelligence spokesman.

(b) Separation of the senior intelligence officer from CIA to reduce any charges of favoritism.

(c) Responsibility for production of national estimates would still be in the White House Staff though the resources for producing them would be elsewhere.

(2) Other PROs directly applicable to the second option are these:

(a) The senior intelligence officer would not be burdened with administrative management chores since he would not have management responsibility for CIA, NSA and special reconnaissance activities, but he still would hold a strong hand through his budget approval authority.

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(b) Little legislative action would be required.

(c) Defense Department objectives might be less strong than in the case of Option One.

b. CONs

(1) The CONs for this option also include some of those applicable to Option One.

(a) Location of the senior intelligence officer within the White House Staff would increase the risk of politicization of the intelligence effort.

(b) There would be a major, even if only temporary, unsettling effect within the Intelligence Community.

(c) The senior intelligence officer's staff for production of substantive intelligence would be handicapped by lack of direct access to the analytic base.

(d) Unless coordination mechanisms were particularly effective there would be risk of conflicts with departmental secretaries over the content of estimates produced by the senior intelligence officer and over determination as to what are national and what departmental intelligence activities.

(2) Other CONs directly applicable to Option Two are these:

(a) The line of authority of the senior intelligence officer would be limited to budgetary control.

(b) Budget controls might not be sufficient to eliminate "end runs" by agency heads.

(c) Detailed control by the senior intelligence officer of sensitive clandestine (CIA) activities would be weakened by bureaucratic barriers.

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### THE THIRD OPTION

The senior foreign intelligence officer would be, as now, the operating head of the CIA. The CIA would retain its present function, and existing Community coordination organs would continue. The DCI would chair Executive Committees--or EXCOMs--for the NSA as well as for the special reconnaissance activities. These EXCOMs would have approval authority for programs and budgets, but the organizations would remain within the Department of Defense. Departmental intelligence activities, including tactical intelligence, would be solely departmental responsibilities. The DCI would have two deputies, with appropriate staffs, one for Community management and one for direct management of CIA.

#### a. PROs

(1) The present Community structure would be maintained and somewhat strengthened.

(2) The DCI would have more responsibility than now for the three major national programs encompassing the major collection activities (SIGINT, imagery and human source).

(3) The concept of a national intelligence community independent of departmental or White House pressures would be continued.

(4) Conflicts between the DCI and departmental heads concerning departmental intelligence activities would be minimized.

(5) The DCI would continue to serve as spokesman before Congress for all national intelligence activities.

(6) Bureaucratic changes would be few, so turbulence would be minimal.

(7) No legislative action would be needed for organizational changes.

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b. CONs

(1) The senior foreign intelligence officer would continue to be separated from the White House and would still be clearly subordinate to the Secretaries of State and Defense in the NSC structure.

(2) The DCI would have only partial authority for non-CIA budgets and programs.

(3) Problems of DCI and CIA access to sensitive departmental activities and communications would continue.

(4) Some ambiguities would continue concerning differentiation between national and departmental or tactical intelligence activities.

(5) Adoption of this "partial" option would mean missing an opportunity for a major reshuffling within the Intelligence Community which would markedly enhance the authority of the senior foreign intelligence officer and erase the bad image which the CIA has recently acquired.

THE FOURTH OPTION

The Intelligence Community concept would be abandoned. The DCI would have no operating responsibilities other than as head of the CIA. No consolidated Intelligence Community budget recommendations would be prepared. State, Defense and CIA would separately support intelligence needs of policy levels of the Government. Some agency and departmental functions could be redistributed. (An example would be transfer of CIA responsibilities for collection and analysis of technical intelligence to the Defense Department.)

a. PROs

(1) Visibility of CIA would be reduced, which could assist continuation of clandestine activities.

(2) Renaming of CIA and reduction in the scope of its responsibilities could enhance a "fresh start."

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(3) The CIA service and support structure could be reduced somewhat.

(4) Specialized activities, such as technical intelligence, could be concentrated in a single department.

(5) Reduction in the analytical role of CIA could facilitate creation of an intelligence analytic staff in the NSC structure to produce national intelligence.

b. CONs

(1) Resource constraints and increasing dependence on technology in intelligence activities emphasize the need for greater centralization of intelligence management, not abandonment of a Community concept.

(2) The DCI would not be able to provide service to the Congress commensurate with what he now does.

(3) Coordination of national intelligence estimates and other national intelligence activities would be much more difficult.

(4) Independence of intelligence advice and assessments to the President and the NSC would be much reduced. Parochial views could well replace a broad interdisciplinary approach especially in the technical and scientific arena.

(5) The CIA would lose much of its present flexibility in support to the Government as a whole.

(6) Bureaucratic upheaval costs would be high.

(7) CIA would experience a major loss of cohesion and lowering of morale.

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The decision of the President, as reflected in Executive Order 11905, was to reject all of the options for major change, leave the position of the Director of Central Intelligence as it was, but clarify the statement of his responsibilities, and reorganize arrangements for Executive Branch oversight of the Intelligence Community by establishment of the Operations Advisory Group, the Intelligence Oversight Board and the Committee on Foreign Intelligence, and by assigning new responsibilities to the National Security Council.

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## Control and Direction

# POLICY DEVELOPMENT

National Security Council

● President

● Vice President

● Secretary  
of  
State

● Secretary  
of  
Defense

● *Conduct semi-annual reviews*

● *needs of policy-makers and responsiveness to those needs*

● *scope and timeliness of product*

● *use of resources in collection of information*

● *appropriateness of covert and sensitive collection operations*



NATIONAL SECURITY COUNCIL

The relatively inactive National Security Council Intelligence Committee established in 1971 by Presidential memorandum was disestablished by issuance of Executive Order 11905, and the National Security Council itself was charged (1) to provide guidance and direction to the development and formulation of national intelligence activities, and (2) to conduct a semi-annual review of intelligence policies and on-going special activities.

Preparations for the first of these semi-annual reviews are nearing completion.

The DCI's Intelligence Community Staff has prepared a major input to this semi-annual review in the form of a study in which a large number of interviews of senior level Government officials was used to review the intelligence needs of policymakers and the responsiveness of the Intelligence Community to those needs, particularly in terms of the scope and timeliness of national intelligence products.

Two other inputs to the semi-annual review are reports from the Committee on Foreign Intelligence and from the Operations Advisory Group on their activities.



**Control and Direction**

**COVERT ACTION and SPECIAL OPERATIONS**

Operations Advisory Group  
(Operations Group)

● DCI      ● Secretary of State      ● Asst. to President for Nat'l Sec. Affairs (Chairman)      ● Secretary of Defense      ● Chairman JCS

Observers { ● Director O M B  
                  ● Attorney General

- ◆ *Consider & make recommendations to President on all proposals for special missions*
- ◆ *Submit periodic review to N S C on ongoing missions*
- ◆ *Meet formally to carry out its responsibility to make recommendations to the President.*

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### OPERATIONS ADVISORY GROUP

The Operations Advisory Group established by Executive Order 11905 is charged to consider and make recommendations to the President on all proposals for special missions--which means on all proposed covert action programs and on sensitive reconnaissance missions proposed by the Department of Defense.

The OAG membership includes the Secretaries of State and Defense, whereas in the past deputy secretaries represented these departments on National Security Council organizations--most recent of which was the "40 Committee"--which were responsible for review and approval of such activities.

The Congressional investigations of covert actions in 1975 and early 1976 had disclosed that "40 Committee" matters were handled very informally at times, so Executive Order 11905 provides that the OAG must meet formally and make its recommendations to the President in writing.

The OAG has met seven times during the first nine months of its existence.

One of its responsibilities is to review ongoing sensitive activities periodically and submit a report to the National Security Council. This report is one of the inputs the NSC will consider as part of its semi-annual review of intelligence.

Exempt from release Declassification authority: E.O. 11652 and where applicable EO ( ), (2) (3) Date: 10/10/01 Date Responsible to Determine

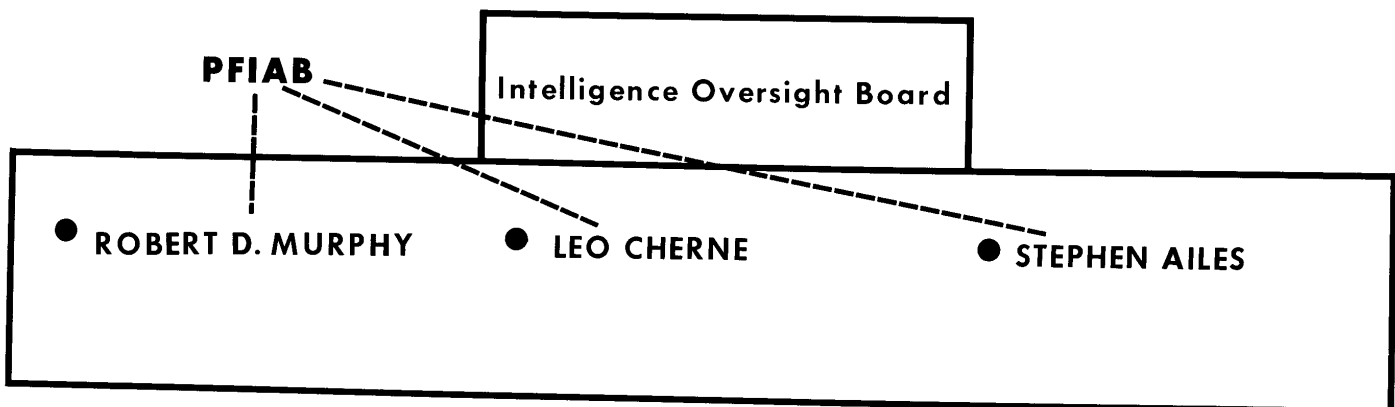
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## Control and Direction

# OVERSIGHT OF INTELLIGENCE ACTIVITIES



- Consider reports of Community IG's & General Counsels concerning questionable activities
- Review procedures of IG's & General Counsels
- Report to President & Atty General on questionable activities
- Staff Support from non-intelligence community personnel

INTELLIGENCE OVERSIGHT BOARD

The Intelligence Oversight Board is a "watchdog" organization established by Executive Order 11905 as a direct Executive Branch response to criticisms surfaced during the Congressional investigations of intelligence activities concerning alleged illegal actions and improprieties on the part of intelligence personnel.

The IOB has three members: Ambassador Robert D. Murphy, a long-time top-level State Department official prior to his retirement, as Chairman; Mr. Leo Cherne, an economist who also is Chairman of the President's Foreign Intelligence Advisory Board, and Mr. Stephen Ailes, a lawyer who once was Secretary of the Army.

The Board is receiving reports at least quarterly from the Inspectors General and General Counsels of the various elements of the Intelligence Community concerning activities which raise questions of legality or propriety.

Working from these reports and its own reviews of the practices and procedures of the Inspectors General and General Counsels and its review of the adequacy of internal guidelines within Intelligence Community organizations, the IOB reports its findings at least quarterly to the President and to the Attorney General.

In addition to submission of its periodic reports, the IOB also is charged to report to the President on a timely basis concerning any intelligence activities which the Board considers raise serious questions about propriety, and to both the President and the Attorney General on any activities that raise serious questions about legality.

The primary focus of IOB attention are the "Restrictions on Intelligence Activities" set forth in Section 5 of Executive Order 11905.

The various organizations of the Intelligence Community have individually issued internal directives to implement Section 5 of the Executive Order.





## **Control and Direction**

# **MANAGEMENT and RESOURCES CONTROL**

**Committee on Foreign Intelligence (CFI)**

● **Deputy Secretary, Defense**

● **DCI  
(Chairman)**

● **Dep. Asst. to President  
for Nat'l Sec. Affairs**

**Staff Support by Intelligence Community Staff**

- **Control Budget preparation and resource allocation for NFIP  
(excl. Tactical)**
- **Establish management policies for the NIP**
- **Implement policy decisions of NSC  
(Collection and Production of National Intelligence)**



SUBCOMMITTEES  
OF THE  
SENATE SELECT COMMITTEE ON INTELLIGENCE

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SUBCOMMITTEE ON INTELLIGENCE  
AND THE RIGHTS OF AMERICANS

SENATOR BAYH, <i>Chairman</i>	SENATOR GARN, <i>Vice Chairman</i>
SENATOR HATHAWAY	SENATOR CASE
SENATOR BIDEN	SENATOR STAFFORD
SENATOR MORGAN	

SUBCOMMITTEE ON BUDGET AUTHORIZATION

SENATOR HATHAWAY, <i>Chairman</i>	SENATOR GOLDWATER, <i>Vice Chairman</i>
SENATOR HUDDLESTON	SENATOR HATFIELD
SENATOR HART, (Colo.)	

SUBCOMMITTEE ON COLLECTION, PRODUCTION AND QUALITY

SENATOR STEVENSON, <i>Chairman</i>	SENATOR CASE, <i>Vice Chairman</i>
SENATOR MORGAN	SENATOR GOLDWATER
SENATOR HART, (Colo.)	

AD HOC SUBCOMMITTEE ON CHARTERS AND GUIDELINES

SENATOR HUDDLESTON, <i>Chairman</i>	SENATOR HATFIELD, <i>Vice Chairman</i>
SENATOR BAYH	SENATOR THURMOND
SENATOR STEVENSON	SENATOR GARN
SENATOR BIDEN	

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*Ex Officio*  
ON ALL SUBCOMMITTEES

SENATOR INOUE, <i>Committee Chairman</i>	SENATOR BAKER, <i>Committee Vice Chairman</i>
SENATOR MANSFIELD, <i>Majority Leader</i>	SENATOR SCOTT, (Pa.) <i>Minority Leader</i>

SENATE SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee has a broad mandate under Senate Resolution 400\* to oversee the activities of United States foreign intelligence agencies. It has jurisdiction over all proposed legislation, messages, petitions, memorials, and other matters relating to the Director of Central Intelligence, the Central Intelligence Agency, and the intelligence activities of all other departments and agencies. The Committee also has jurisdiction over authorizations for appropriations for the Director of Central Intelligence, the Central Intelligence Agency and other Intelligence Community agencies. The Committee is authorized to make investigations into any matter within its jurisdiction; to hold hearings; to require, by subpoena, the production of documents; and to take depositions and other testimony. The Senate has expressed its sense that all agency heads should keep the Select Committee fully and currently informed with respect to intelligence activities, including any significant anticipated activities, and that they furnish the Committee any information or document in their possession, custody, or control whenever requested by the Select Committee.

Senator Daniel K. Inouye (D., Hawaii) was named Chairman, and Senator Howard H. Baker, Jr., (R., Tennessee) was named Vice Chairman.

The 15-member committee includes two members (one Democrat and one Republican) from each of four other committees--Appropriations, Armed Services, Foreign Relations and Judiciary--and seven appointed from the Senate at large (four Democrats and three Republicans).

The committee has organized itself into four subcommittees constituted as shown in the chart at the left.

A staff of more than 40 personnel has been assembled, with William G. Miller as Staff Director. Mr. Miller had been Staff Director of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities which Senator Church headed and which conducted the widely publicized 1975-1976 Senate investigation. A high proportion of the professional staff members working for Senator Inouye's committee also were members of Senator Church's committee staff.

\*Test of S. Res. 400 is at Annex D.

The primary activity to date of the Subcommittee on Intelligence and the Rights of Americans involved consideration of proposed legislation on electronic surveillance on which the Senate did not complete action during the 94th Congress.

Staff members of the Subcommittee on Collection Production and Quality are engaged in the preparation of background papers for the committee on various intelligence collection and production programs.

The Subcommittee on Budget Authorization is gathering data in preparation for development of an Intelligence Community authorization figure for the FY 1978 budget.

The Subcommittee on Charters and Guidelines is expected to become the focal point for the drafting of legislation, but no specific proposals have as yet surfaced.



## OTHER OVERSIGHT COMMITTEES

Prior to establishment of the Senate Select Committee on Intelligence, Congressional oversight of the Intelligence Community was exercised by the Armed Services Committees of the Senate and House. This included oversight of CIA since, as sponsoring committees of the National Security Act of 1947, the Armed Services Committees assumed jurisdiction over agencies created by the Act.

In addition to the Senate Select Committee on Intelligence, Congressional oversight of the Intelligence Community is exercised by:

- a. Intelligence Subcommittees of the Senate and House Armed Services Committees;
- b. The Intelligence Operations Subcommittee of the Defense Subcommittee of the Senate Committee on Appropriations;
- c. The Defense Subcommittee of the House Committee on Appropriations;
- d. On matters relating to covert actions, the Foreign Relations Committee of the Senate and the International Relations Committee of the House.

As sponsoring committees of the National Security Act of 1947, the Armed Services Committees of the Senate and House assumed jurisdiction over agencies created by the Act, which included CIA. In the House of Representatives the Armed Services Committee continues to have oversight of CIA, but in the Senate exclusive jurisdiction for CIA oversight has been transferred to the Select Committee on Intelligence, which has "sequential" jurisdiction with Armed Services and other oversight committees, over intelligence activities of the Defense Department and other Federal organizations.

Briefings on substantive intelligence assessments within their jurisdictions are given upon request to other committees of the Senate and House, either by the DCI or by CIA representatives. Intelligence officers of the Defense Department also provide briefings on request.

During his first nine months as DCI, Director Bush not only appeared personally several times before each of the oversight committees and had a number of conferences with Congressmen, either individually or in groups, but he also presented briefings or testified before seven other committees as follows:

- Joint -      Joint Committee on Atomic Energy  
              Joint Economic Committee
  
- Senate -     Budget  
              Rules and Administration  
              Select Committee to Study Governmental  
                  Operations with Respect to Intelligence  
                  Activities (the Church Committee)
  
- House -     Government Operations  
              Select Committee on Drug Abuse and  
                  Narcotics Control





# **NATIONAL FOREIGN INTELLIGENCE BOARD (NFIB)**

## **CHAIRMAN:**

**Director of Central Intelligence**

## **VICE CHAIRMAN:**

**D/DCI/IC**

## **MEMBERS:**

**CIA DIA NSA STATE TREASURY FBI ERDA**

## **OBSERVERS:**

**Intelligence Chiefs of Military Services**

THE NATIONAL FOREIGN INTELLIGENCE BOARD

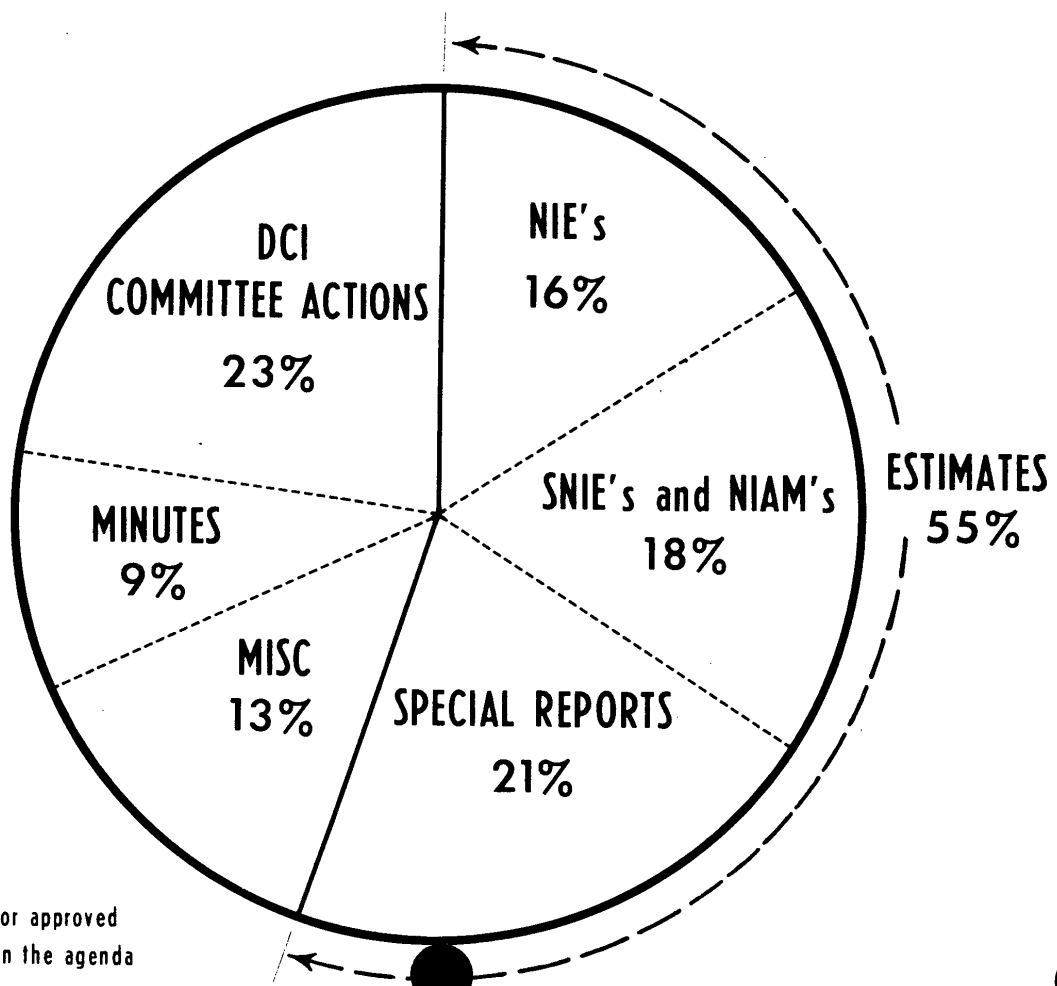
The National Foreign Intelligence Board (NFIB) was established by the DCI in May 1976 as a replacement for the United States Intelligence Board which was abolished by Executive Order 11905 issued by President Ford in February 1976.

The mission of the NFIB is to advise and assist the DCI with respect to:

- a. The review and coordination of national intelligence products;
- b. The maintenance of effective interface between intelligence producers and consumers and the development of procedures for continuing identification of consumer needs for intelligence;
- c. The establishment of appropriate objectives, requirements, and priorities for substantive intelligence;
- d. The review of requirements coordination and operational guidance for intelligence collection systems;
- e. The protection of sensitive intelligence sources and methods and of sensitive intelligence information;
- f. The development, as appropriate, of policies regarding arrangements with foreign governments on intelligence matters; and
- g. Such other matters as the DCI may refer to the Board for advice.

The membership of the NFIB is shown on the chart at the left.

# ANNUAL DISTRIBUTION, BY TYPE OF NFIB ACTIVITIES\*



\* Includes matters noted or approved  
at their inclusion in the agenda  
meeting

The NFIB is the only Intelligence Community body in which the heads of every organization in the Community assemble as a group and jointly participate in consideration of intelligence problems.

As indicated in the chart at the left, more than half of the activities of the NFIB involve the review of national intelligence estimative papers leading to a Board recommendation that the DCI approve and disseminate the document.

About one-fourth of the NFIB activities relate to actions which come to the Board from one of the DCI Committees, functions of which are discussed at the next Tab.



## **D C I COMMITTEES**

### **COLLECTION**

- ✓ **Committee on Imagery Requirements and Exploitation (COMIREX)**
- ✓ **SIGINT Committee**
- ✓ **Human Sources Committee (HRC)**

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### **PRODUCTION**

- Joint Atomic Energy Intelligence Committee (JAEIC)**
- Economic Intelligence Committee (EIC)**
- Scientific and Technical Intelligence Committee (STIC)**
- Weapon and Space Systems Intelligence Committee (WSSIC)**

### **SUPPORT**

- Critical Collection Problems Committee (CCPC)**
- Committee on Exchanges (COMEX)**
- ✓ **Security Committee**
- ✓ **Intelligence Information Handling Committee (IHC)**

## DCI COMMITTEES

The titles of the 12 DCI Committees, as listed on the chart at the left, are roughly descriptive of the functions and areas of responsibility of each committee.

The present set of DCI Committees is the product of an evolutionary process which has become an institutionalized part of the Intelligence Community. Joint committees of one kind or another have been a part of intelligence activities in Washington since World War II. New committees have been formed as needs are identified, old committees have been disbanded when their usefulness ended.

Until issuance of Executive Order 11905 the existing committees were titled USIB Committees. With the disestablishment of USIB and the formation of the National Foreign Intelligence Board as its replacement, the DCI Committee title was adopted to emphasize that the committees could be utilized as needed and would support the DCI and the Committee on Foreign Intelligence as well as the NFIB.

The DCI appoints each committee chairman and meets periodically with the chairmen as a group to discuss problems with which the committees are currently concerned. Oversight of the DCI Committees on behalf of the Director is exercised by his Deputy for the Intelligence Community.

Most of the committee chairmen are senior CIA officers, but the Chairman of the Human Resources Committee is an Ambassador-rank Foreign Service Officer, the Chairman of the SIGINT Committee is a retired USAF Major General with extensive National Security Agency experience, and the Chairman of the Security Committee is a former State Department official.

Members of the committees and of the subcommittees and working groups which support them normally are trained personnel with experience in the field for which the committee has responsibility.

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Exempt from general declassification schedule of E.O. 11652 Exemption authority: 52 (1), (2), (3) Automatically declassified on Date Impossible to Determine

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**PERSONNEL AND AGENCIES  
ENGAGED IN D C I COMMITTEE ACTIVITIES**

	Personnel		Number
	Full-time	Part-time	Organizations
COMIREX	63	131	12
EIC**	-	112	25
SIGINT	16	82	11
WSSIC**	-	93	10
Security	3	74	11
Human Resources	13	57	11
STIC	-	57	8
IHC**	4	43	13
JAEIC**	-	37	10
COMEX**	-	29	13
<hr/>			
CCPC	-	12	10

\*Actual number of individuals less than indicated since one person serving on several subcommittees is counted separately for each.

Approved For Release 2005/08/24 : CIA-RDP79M00062A000600020001-2

\*\* Includes non-NFIB representation.

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Wide differences in the continuity of action and the scope of activities of the individual DCI Committees is reflected in the number of personnel and the number of organizations participating in the program of each committee and its substructure, as depicted in the chart at the left.

The Committee on Imagery Requirements and Exploitation (COMIREX) provides staff support to and acts for the DCI and the NFIB in the development and implementation of national-level guidance for imagery collection and exploitation. Much of the committee activity is highly detailed and requires the participation of 63 full-time staffers. Another 131 personnel participate in meetings and work with the committee on a part-time basis.

At the other end of the scale, the Critical Collection Problems Committee (CCPC), which is a study group responsive to specific tasking laid on it by the DCI, involves only the part-time participation of 12 persons.

Each of the dozen principals who takes part in NFIB activities is accorded representation on any DCI Committee which deals with a subject in which his organization has an interest.

As the chart at the left indicates, less than half of the DCI Committees include representatives of all of the USIB principals, and five committees include in their activities representation from organizations which are not a part of the Intelligence Community.

The program of the Economic Intelligence Committee (EIC) includes representatives of 25 separate organizations, cutting across the Executive Branch spectrum of the departments, agencies, and special offices interested in foreign economic information. The part-time participation of 112 personnel in EIC activities makes it second only to the COMIREX in size.

Of the 100 full-time personnel on the staffs of the six DCI Committees which have such, 75 are assigned to the DCI's Intelligence Community Staff (ICS).

The chairmen of five committees--COMIREX, SIGINT, Security, Human Resources, and Information Handling--are members of the Intelligence Community Staff, and all but the Security Committee Chairman serve as division chiefs in ICS.

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**PARENT ORGANIZATIONS OF PERSONNEL ENGAGED  
IN DCI COMMITTEE ACTIVITIES**

<b>NFIB Organization</b>	<b>Full-time</b>	<b>Part-time*</b>
CIA	6	147
DIA	10	101
Air Force	3	85
NSA	1	81
Army	3	65
INR/State	-	68
Navy	2	59
ERDA	-	30
Treasury	-	19
FBI	-	18
<b>Subtotal</b>	<u>25</u>	<u>673</u>
Other	-	67
Intelligence Community Staff	<u>75</u>	-
<b>TOTAL</b>	<u>100</u>	<u>740</u>

\*Actual number of individuals is less than indicated since one person serving on several subcommittees is counted separately for each

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One of the functions of the DCI Committees is educational since the committee activities enable representatives of the various organizations of the Intelligence Community to keep abreast of what is going on within the specialized areas with which each committee deals and to contribute their individual expertise.

As the statistics on the chart at the left indicate, the various organizations participating in NFIB activities consider it worthwhile to have sizeable numbers of their personnel take part in activities of the committees and their subcommittees and working groups.

Nearly 10 percent of the participants are from organizations that are not a part of the Intelligence Community. Most of these personnel are involved in work to which an input of foreign economic intelligence is important.

Even those organizations that have relatively few professional personnel engaged in foreign intelligence matters--INR/State, ERDA, Treasury and the FBI--are active participants in the committee program. ERDA, which has only seven intelligence personnel, manages to take part in thirty committees and subcommittees.

CIA provides more full-time participants in DCI Committee work than does the rest of the Community combined, as indicated in the following tabulation:

	<u>Detailed to</u> <u>ICS</u>	<u>Other</u>	<u>Total</u>
CIA	53	6	59
DIA	9	10	19
Air Force	4	3	7
Army	4	3	7
NSA	3	1	4
State	2		2
Navy		2	2
	<u>75</u>	<u>25</u>	<u>100</u>



## **THE INTELLIGENCE COMMUNITY STAFF**

**Supports the Director of Central Intelligence in four areas:**

- **RESOURCES MANAGEMENT**
- **COLLECTION ASSESSMENT**
- **PRODUCT IMPROVEMENT**
- **COORDINATION AND PLANNING**

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## INTELLIGENCE COMMUNITY STAFF

The Intelligence Community Staff (ICS) is the staff arm of the Director of Central Intelligence for the execution of his Community responsibilities. Presently located at CIA Headquarters, it is organizationally separate from the CIA and is scheduled to move soon to 1724 F Street in downtown Washington. The ICS has a separate line authorization of \$5.6 million in the FY 1977 budget.

As indicated at the chart on the left, the ICS supports the DCI in four primary areas--resource management, collection assessment, product improvement, and coordination and planning.

A detailed description of functions of the staff is at Annex F, IC Staff Directive No. 8, "Intelligence Community Staff Organization and Management," 8 October 1976.

The ICS had its inception in 1963 when DCI John McCone established the National Intelligence Programs Evaluation Staff to assist him with Community matters. The NIPE was enlarged and retitled the Intelligence Community Staff by DCI Richard Helms in early 1972 in response to the added Community responsibilities assigned to the DCI in the President's memorandum of 5 November 1971 on "Organization and Management of the U.S. Foreign Intelligence Community."

The NIPE Staff and the original Intelligence Community Staff were manned entirely by CIA officers and a few contract personnel until Dr. James Schlesinger became DCI in 1973. He decided the ICS should be headed by an active duty military officer and have a manning more representative of the Community as a whole. Lieutenant General Lew Allen, USAF, later to be Director of the National Security Agency, became the first military officer to serve as Deputy to the DCI for the Intelligence Community. Active duty officers were detailed to the ICS from the four military services and civilian personnel were detailed from the State Department, Defense Intelligence Agency, and National Security Agency as well as from CIA.

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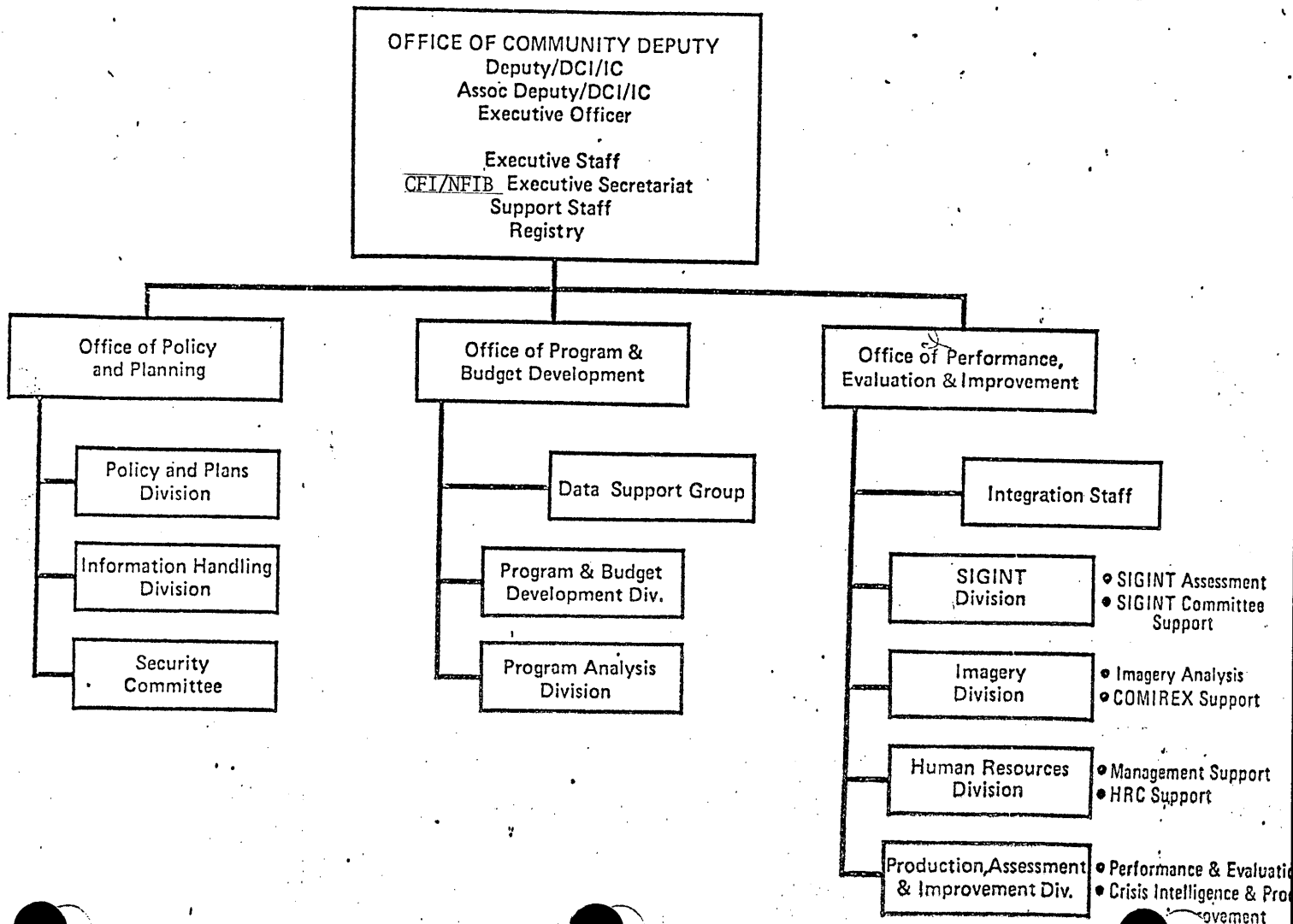
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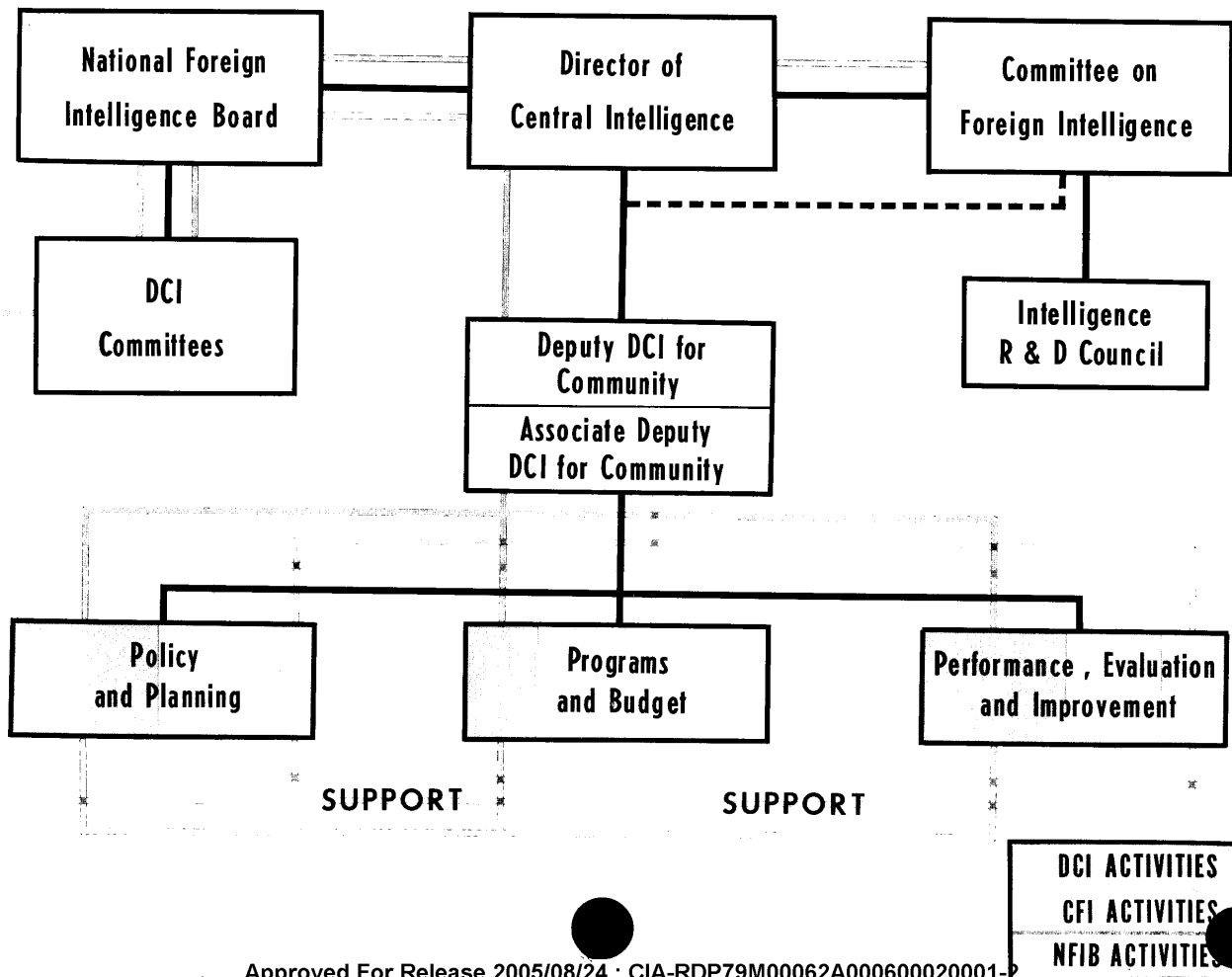
X1 Subsequent D/DCI/ICs were Lieutenant General Daniel O. Graham, USA, who left to be Director, Defense Intelligence Agency, and Lieutenant General Samuel V. Wilson, USA, currently the Director, Defense Intelligence Agency. The current D/DCI/IC is [REDACTED] who is the first four-star military officer to have an intelligence assignment since the early 1960s.

The role and responsibilities of the ICS were enlarged when Executive Order 11905 created the Committee on Foreign Intelligence and charged the ICS to provide staff support to the Committee.





## Flow of Intelligence Community Activities



The organization of the Intelligence Community Staff, depicted on the chart at the left, is designed to facilitate ICS action to (1) assist the DCI in his supervision and guidance of the Community, (2) serve as the Committee on Foreign Intelligence staff, and (3) develop requirements system for and assess the performance of national intelligence collection and production.

The DCI-approved Table of Organization for the ICS includes the following numbers of personnel:

Office of the Community Deputy (OCD)	37
Office of Policy and Planning (OPP)	20
Office of Program and Budget Development (OPBD)	31
Office of Performance, Evaluation and Improvement (OPEI)	<u>108</u>
TOTAL:	196

This Table of Organization includes 75 full-time staff members of five DCI Committees as follows:

OPP: Information Handling Committee (in the Information Handling Division)  
Security Committee

OPEI: SIGINT Committee (in the SIGINT Division)  
COMIREX (in the Imagery Division)  
Human Resources Committee (in the Human Resources Division)

Mission and functions of the various elements of the ICS are described in detail in the ICS Staff Directive No. 8 at Annex F.

In essence, the primary functions of the three ICS offices are to:

OPP : Draft the DCI guidance and planning documents and the annual report of the DCI on the Intelligence Community

OPBD: Prepare the National Foreign Intelligence Program documents and support the CFI in its annual program review and budget cycle

OPEI: Support the DCI, CFI and NFIB in evaluating and improving the performance of national intelligence collection and production activities, systems and programs and in validation of imagery and SIGINT collection requirements.

A listing of key ICS personnel and a description of current ICS publications follow.

## **ICS INVOLVEMENT IN CFI RESPONSIBILITIES**

<b>CFI Tasks from E.O. 11905</b>	<b>Supporting ICS Office</b>
<b>Control NFIP budget preparation and resource allocation .....</b>	<b>OPBD</b>
<b>Establish policy priorities for national intelligence collection and production .....</b>	<b>All</b>
<b>Establish policy for management of intelligence .</b>	<b>OPP, OPEI &amp; ES</b>
<b>Provide guidance on national/tactical intelligence relationship .....</b>	<b>All</b>
<b>Ensure Community compliance with NSC policy direction .....</b>	<b>All</b>
<b>Designate activities to be included in NFIP .....</b>	<b>OPBD</b>

As indicated in the chart at the left, offices of the Intelligence Community Staff are involved in providing support to the Committee on Foreign Intelligence on all six of the tasks assigned to the CFI in Executive Order 11905.

The ICS Office of Program and Budget Development is specifically organized and manned to prepare the necessary documents and staff CFI actions in execution of the responsibility to which the CFI has thus far devoted its primary attention--control of budget preparation and resource allocation for the National Foreign Intelligence Program.

## ICS INVOLVEMENT IN NFIB ACTIVITIES

<b>NFIB Advisory Responsibilities (DCID 1/8)</b>	<b>Supporting ICS Office</b>
Review national products .....	OPEI
Coordinate national products .....	---
Maintain consumer/producer interface .....	---
Develop procedures to identify consumer needs .	OPEI
Establish objectives/requirements/priorities .....	OPEI & OPP
Protect sensitive sources, methods and information ..	OPP & OPEI
Develop policies for arrangements with foreign Governments .....	ES & OPEI
Such other matters as the DCI assigns .....	All

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The Intelligence Community Staff provides staff support to the National Foreign Intelligence Board with respect to six of the eight responsibilities assigned to the NFIB in DCID 1/8.

The ICS is not involved in the actual production of substantive intelligence, so it has no role in assisting the NFIB as regards coordination of national products or maintaining a consumer/producer interface.

The Office of Performance, Evaluation and Improvement has a division (Production, Assessment and Improvement) specifically devoted to two NFIB responsibilities--review of national products, and the development of procedures to identify consumer needs.

The Office of Program and Budget Development is the only ICS staff element not directly involved in support of the NFIB. This is because the NFIB has no budget or resource allocation responsibilities.

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The scope of the Community responsibilities of the Director of Central Intelligence and the role which the ICS has in support of the DCI's execution of these responsibilities are illustrated by the chart at the left.

The ICS is directly involved in supporting the DCI in 13 of the 18 responsibilities assigned to him in Executive Order 11905.

Those DCI responsibilities to which ICS activities do not relate concern the actual production and dissemination of national intelligence, the CIA covert action programs, Inspector General activities, and the provision by CIA of services of common concern to the entire Community.

As the chart indicates, all elements of the ICS are involved in supporting the DCI in four of his responsibilities, the Office of Planning and Programming is the primary staff element for four other responsibilities, the Office of Performance, Evaluation and Improvement for an additional three, and the Office of Program and Budget Development for the one to which its title applies.

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DCI'S INTELLIGENCE COMMUNITY STAFF

Office of Community Deputy

Deputy to the DCI for the Intelligence Community (D/DCI/IC)

X1A

Associate Deputy to the DCI for the Intelligence Community  
(AD/DCI/IC)

Mr. John N. McMahon

Executive Officer (EO/IC)

Mr. Richard J. Kerr

Executive Staff

Special Assistant to the D/DCI/IC (SA-D/DCI/IC)

X1A

Special Assistant to the D/DCI/IC (SA-D/DCI/IC)

X1A

USN (Ret.)

CFI/NFIB Executive Secretariat

Executive Secretary CFI/NFIB

X1A

Office of Policy and Planning

Director, Office of Policy and Planning (O/PP)

X1A

Policy and Plans Division (OPP/PPD)

X1A

Information Handling Division (OPP/IHD)

X1A

Security Committee (OPP/SC)

X1A

Office of Program and Budget Development

Director, Office of Program and Budget Development (O/PBD)

X1A

[REDACTED]

Data Support Group (OPBD/DSG)

X1A

[REDACTED]

Program and Budget Development Division (OPBD/PBDD)

X1A

[REDACTED]

Program Analysis Division (OPBD/PAD)

X1A

[REDACTED]

Office of Performance, Evaluation and Improvement

Director, Office of Performance, Evaluation and Improvement (O/PEI)

X1A

[REDACTED]

Integration Staff (OPEI/IS)

X1A

[REDACTED] Chief

SIGINT Division (OPEI/SD)

X1A

[REDACTED]

Imagery Division (OPEI/ID)

X1A

[REDACTED]

Human Resources Division (OPEI/HRD)

X1A

[REDACTED]

Production Assessment and Improvement Division (OPEI/PAID)

X1A

[REDACTED]

CURRENT ICS PUBLICATIONS

TITLE	PURPOSE	CONTENT	TARGET AUDIENCE
<p><u>PLANNING DOCUMENTS</u></p> <p>Key Intelligence Questions for FY 1977</p>	<p>KIQS are designed to improve intelligence production and collection management by providing a highly selective list of current, critical questions for a period of special operational attention. General criteria for selection are that the items are not sufficiently highlighted under other directives and that they are achievable within the year. The KIQs are followed up with individual strategy reports aimed at developing special collection and analytical strategies to enhance the information gain and improve the analyses in each KIQ area of concern.</p>	<p>In FY 1977, the KIQ list currently contains thirteen (13) specific areas of concern and related questions.</p>	<p>All collection and production managers and appropriate DCI Committee Chairmen.</p>
<p>DCI Goals and Objectives for FY 1977</p>	<p>Provides senior Intelligence Community managers with DCI views on the major direction toward which the Community should strive in the coming fiscal year. Also fulfills a Presidential and OMB request for such data.</p>	<p>Statement of the purpose which National Intelligence serves, plus Community Goals related to specific DCI responsibilities found in EO 11905. FY 1977 Objectives are listed under pertinent goals.</p>	<p>Program managers, OMB, and possibly the Congressional committees.</p>
<p>DCI Perspectives for Planning and Programming (FY 1979-83)</p>	<p>The Perspectives provide a substantive framework within which CFI annual program guidance may be developed and in which program managers may find guidance for their individual planning and programming problems.</p>	<p>Part I, The Changing World Environment, Part II, The Role of Intelligence and Part III, Implications for Intelligence Planning and Resource Management.</p>	<p>CFI program guidance developers and program managers and planning staffs.</p>

CURRENT ICS PUBLICATIONS

TITLE	PURPOSE	CONTENT	TARGET AUDIENCE
National Foreign Intelligence Requirements and Priorities for Planning and Programming (FY 1979-83) (NFIRP)	The NFIRP is designed to reflect the DCI Perspectives in an explicit statement of prioritized global national foreign intelligence requirements for planning and programming. Currently developed, using the DCID 1/2 attachment, the NFIRP is a Community level input to the planning and programming process.	Specific prioritized requirements on a global basis stated in geo-topical terms. Vol I: Priorities 1-3; Vol II: Priorities 4-7.	CFI program guidance developers, program managers and staff, and appropriate DCI Committees.
<u>OTHER DOCUMENTS</u>			
DCI Annual Report	A consolidated annual report by the DCI prepared for presentation to the leaders of the Executive and Legislative Branches which covers the Community's performance, budget, and plans for the future.	Covers the entire gamut of intelligence activities, costs, and future plans.	The President and his councils, Legislative leaders and staffs.
Overview of Imagery Satellite Issues, Activities and Planning	This document presents a series of policy issues which are critical to the future course of U.S. satellite imagery activities. It is designed to inform and stimulate further action at the NSC and CFI level on these issues. (The effort was originally organized to present a National Imagery Plan.)	Issues requiring national level and CFI level decisions as well as a consolidated overview of Imagery Requirements, collection, exploitation, and dissemination activities, including major planning milestones and fiscal implications.	The NSA Space Policy Committee, CFI members and Community managers.

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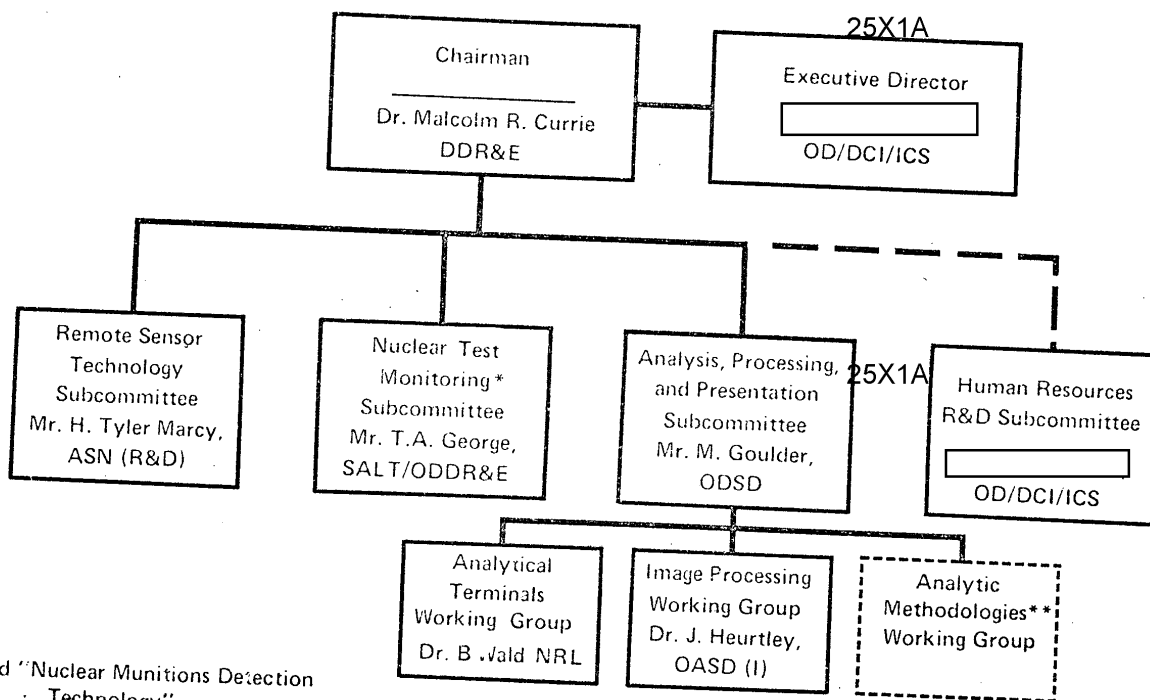
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TITLE	PURPOSE	CONTENT	TARGET AUDIENCE
NSC Intelligence Review	Responds to the E.O. 11905 requirement that the NSC conduct a semiannual review of intelligence policies, the needs of users of intelligence, the timeliness and quality of intelligence products, and the continued appropriateness of special activities in support of national foreign policy objectives.	A wide spectrum of political, economic, military, and scientific/technical concerns; strengths and weaknesses of the IC; analysis of performance in specific regions and topics; systemic problems of intelligence management and performance.	The NSC and the users and producers (who are themselves prime users) of intelligence.

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# Intelligence Research and Development Council



\*Being renamed "Nuclear Munitions Detection Technology"

\*\*Being formed

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INTELLIGENCE RESEARCH AND DEVELOPMENT COUNCIL

The Intelligence Research and Development Council (IR&DC), originally formed in 1973 as a subcommittee of the since-abolished Intelligence Resources Advisory Committee, is now a standing subcommittee of the Committee on Foreign Intelligence.

The IR&DC is chaired by the Director of Defense Research and Engineering and membership includes the senior R&D officers of Intelligence Community organizations, the Assistant Secretaries for R&D of the three military departments, and the Director of the Defense Advanced Research Projects Agency.

The scope of IR&DC activities is illustrated by the chart at the left.

The Council meets monthly to review proposed and ongoing R&D projects, to assess how well programmed R&D will respond to identified needs of the Intelligence Community, and to identify "intelligence gaps" which could benefit from additional research and development efforts.

The IR&DC has played a significant role in resource allocation deliberations within the Community. Two recent examples are its support for R&D in mass memory technologies that could make the intelligence data handling problem more manageable, and its identification of specific technologies applicable to the maritime remote sensor program. Studies currently underway examine human resource skills enhancement, the application of advanced analytical methodologies to intelligence production, and improvement in nuclear test detection capabilities. Future plans include studies of nuclear munitions monitoring technology and interactive analytic terminals to improve utilization of computer-based data banks.

The Council's annual report to the Committee on Foreign Intelligence is scheduled for publication in January 1977.

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Exempt from general  
declassification schedule of E.O. 11652  
authorization code 25 (1) (3)

Authority: [redacted]  
Date: [redacted]

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# **INTELLIGENCE RESEARCH & DEVELOPMENT COUNCIL**

## **CHAIRMAN:**

**Director, Defense Research & Engineering**

## **MEMBERS:**

**OSD    DIA    CIA    NSA    ARPA**

**ARMY    NAVY    AIR FORCE**



[REDACTED]

PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD

The President's Foreign Intelligence Advisory Board (PFIAB) was established by President Eisenhower in 1956 as the President's Board of Consultants on Foreign Intelligence Activities. Reconstituted and renamed by President Kennedy, the Board has been continued by each succeeding President.

As a non-partisan group of distinguished private citizens, the Board is responsible for advising the President on the overall national intelligence effort and for recommending to him appropriate measures to increase the effectiveness of the U.S. Intelligence Community.

In recent years, the PFIAB has reported its findings and recommendations to the President concerning U.S. human source intelligence; effectiveness of the Intelligence Community's response to the needs of the economic policymakers; and the quality of National Intelligence Estimates (NIEs), especially those dealing with the strategic capabilities of the USSR. A direct consequence of the Board's review of NIEs is an ongoing experiment in competitive analysis being undertaken in connection with production of this year's estimate on "Soviet Forces for Intercontinental Conflict: NIE 11-3/8-76."

In March of 1976, President Ford appointed Leo Cherne Chairman of the PFIAB. Mr. Cherne, a member of the Board since 1973, is an economist, political scientist, lawyer and sculptor and for many years has been Executive Director of the Research Institute of America. President Ford also expanded the PFIAB from 10 to 17 members, noting, "By strengthening the Board as I have done today and by giving the Board my full personal support, I fully anticipate that the Foreign Intelligence Advisory Board will continue its indispensable role in advising me on the effectiveness of our foreign intelligence efforts."

Traditionally, the Board meets on the first Thursday and Friday of the even months of the year, and a regular feature of these sessions is a briefing by the DCI. Some of the topics discussed are in response to requests from the Board, but the DCI also uses these meetings to draw the Board's attention to activities of particular significance and to seek the members' views and/or assistance on intelligence matters where appropriate.

Attachment:  
List of Members

[REDACTED]

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PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD

Appointment Dates

Chairman

Mr. Leo Cherne, Executive Director, Research Institute of America, Inc., New York, New York June 1973 to Board,  
11 March 1976 to  
Chairman

Members

Mr. Stephen Ailes, of Maryland, President and Chief Executive Officer, Association of American Railroads, Washington, D. C. 11 March 1976

Admiral George W. Anderson, Jr., USN (Ret.), Washington, D. C. March 1969 (Chairman  
from 1 May 1970 to  
11 March 1976

Mr. Leslie C. Arends, of Melvin, Illinois, retired Member of Congress 11 March 1976

Dr. William O. Baker, President, Bell Telephone Laboratories, Inc., Murray Hill, New Jersey December 1959

Mr. William J. Casey, of Washington, D. C., counsel to the law firm of Rogers and Wells, Washington, D. C. 11 March 1976

Mr. John B. Connally, of Houston, Texas, partner, law firm of Vinson, Elkins, Searls, Connally and Smith, Houston, Texas December 1970 -  
January 1971;  
August 1972 -  
January 1975;  
11 March 1976

Dr. John S. Foster, Jr., Vice President for Energy Research and Development, TRW, Inc., Palos Verdes Estates, California June 1973

Members (continued)

Appointment Dates

Mr. Robert W. Galvin, Chairman and Chief Executive Officer, Motorola, Inc., Chicago, Illinois	June 1973
Mr. Gordon Gray, broadcast executive and former Government official, Washington, D. C.	May 1961
Dr. Edwin H. Land, Chairman of the Board, Polaroid Corporation, Cambridge, Massachusetts	May 1961
General Lyman L. Lemnitzer, USA (Ret.), Washington, D. C.	11 March 1976
Mrs. Clare Boothe Luce, novelist; playwright; writer; and lecturer, Honolulu, Hawaii	June 1973
Mr. Robert D. Murphy, of Washington, D. C., honorary chairman, Corning International Corporation, New York, New York	May 1961 - June 1975 11 March 1976
Mr. Edward Teller, of Berkeley, California, director at large, Lawrence Livermore Laboratory, University of California, Livermore, California	July 1971
Mr. Edward Bennett Williams, senior partner, Williams, Connolly and Califano, Washington, D. C.	11 March 1976

Executive Secretary

Mr. Wheaton B. Byers, The White House, Room 340, Old Executive Office Building, Washington, D. C.	July 1973 (served as Special Assistant to Executive Secretary from 1970)
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# federal register



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PART III:

## THE PRESIDENT

UNITED STATES FOREIGN  
INTELLIGENCE ACTIVITIES

Executive Order 11905

## Title 3—The President

Executive Order 11905

February 18, 1976

### United States Foreign Intelligence Activities

By virtue of the authority vested in me by the Constitution and statutes of the United States, including the National Security Act of 1947, as amended, and as President of the United States of America, it is hereby ordered as follows:

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Section 1. Purpose. The purpose of this Order is to establish policies to improve the quality of intelligence needed for national security, to clarify the authority and responsibilities of the intelligence departments and agencies, and to establish effective oversight to assure compliance with law in the management and direction of intelligence agencies and departments of the national government.

Sec. 2. Definitions. For the purpose of this Order, unless otherwise indicated, the following terms shall have these meanings:

(a) Intelligence means:

(1) Foreign intelligence which means information, other than foreign counterintelligence, on the capabilities, intentions and activities of foreign powers, organizations or their agents; and

(2) Foreign counterintelligence which means activities conducted to protect the United States and United States citizens from foreign espionage, sabotage, subversion, assassination or terrorism.

(b) Intelligence Community refers to the following organizations:

- (1) Central Intelligence Agency;
- (2) National Security Agency;
- (3) Defense Intelligence Agency;

- (4) Special offices within the Department of Defense for the collection of specialized intelligence through reconnaissance programs;
- (5) Intelligence elements of the military services;
- (6) Intelligence element of the Federal Bureau of Investigation;
- (7) Intelligence element of the Department of State;
- (8) Intelligence element of the Department of the Treasury; and
- (9) Intelligence element of the Energy Research and Development Administration.

(c) Special activities in support of national foreign policy objectives means activities, other than the collection and production of intelligence and related support functions, designed to further official United States programs and policies abroad which are planned and executed so that the role of the United States Government is not apparent or publicly acknowledged.

(d) National Foreign Intelligence Program means the programs of the Central Intelligence Agency and the special offices within the Department of Defense for the collection of specialized intelligence through reconnaissance programs, the Consolidated Cryptologic Program, and those elements of the General Defense Intelligence Program and other programs of the departments and agencies, not including tactical intelligence, designated by the Committee on Foreign Intelligence as part of the Program.

Sec. 3. Control and Direction of National Intelligence Organizations.

(a) National Security Council.

(1) The National Security Council was established by the National Security Act of 1947 to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security. Statutory members of the National Security Council are the President, the Vice President, the Secretary of State, and the Secretary of Defense.

(2) Among its responsibilities, the National Security Council shall provide guidance and direction to the development and formulation of national intelligence activities.

(3) The National Security Council shall conduct a semi-annual review of intelligence policies and of ongoing special activities in support of national Foreign policy objectives. These reviews shall consider the needs of users of intelligence and the timeliness and quality of intelligence products and the continued appropriateness of special activities in support of national Foreign policy objectives. The National Security Council shall consult with the Secretary of the Treasury and such other users of intelligence as designated by the President as part of these reviews.

(b) Committee on Foreign Intelligence.

(1) There is established the Committee on Foreign Intelligence (hereinafter referred to as the CFI), which shall be composed of the Director of Central Intelligence, hereinafter referred to as the DCI, who shall be the Chairman; the Deputy Secretary of Defense for Intelligence; and the Deputy Assistant to the President for National Security Affairs. The CFI shall report directly to the National Security Council.

(2) The CFI shall (i) control budget preparation and resource allocation for the National Foreign Intelligence Program.

(A) The CFI shall, prior to submission to the Office of Management and Budget, review, and amend as it deems appropriate, the budget for the National Foreign Intelligence Program.

(B) The CFI shall also adopt rules governing the reprogramming of funds within this budget. Such rules may require that reprogrammings of certain types or amounts be given prior approval by the CFI.

(ii) Establish policy priorities for the collection and production of national intelligence.

(iii) Establish policy for the management of the National Foreign Intelligence Program.

(iv) Provide guidance on the relationship between tactical and national intelligence; however, neither the DCI nor the CFI shall have responsibility for tactical intelligence.

(v) Provide continuing guidance to the Intelligence Community in order to ensure compliance with policy directions of the NSC.

(3) The CFI shall be supported by the Intelligence Community staff headed by the Deputy to the Director of Central Intelligence for the Intelligence Community.

(4) The CFI shall establish such subcommittees as it deems appropriate to ensure consultation with members of the Intelligence Community on policies and guidance issued by the CFI.

(5) Decisions of the CFI may be reviewed by the National Security Council upon appeal by the Director of Central Intelligence or any member of the National Security Council.

(c) The Operations Advisory Group.

(1) There is established the Operations Advisory Group (hereinafter referred to as the Operations Group), which shall be composed of the Assistant to the President for National Security Affairs; the Secretaries of State and Defense; the Chairman of the Joint Chiefs of Staff; and the Director of Central Intelligence. The Chairman shall be designated by the President. The Attorney General and the Director

of the Office of Management and Budget or their representatives, and others who may be designated by the President, shall attend all meetings as observers.

(2) The Operations Group shall (i) consider and develop a policy recommendation, including any dissents, for the President prior to his decision on each special activity in support of national foreign policy objectives.

(ii) Conduct periodic reviews of programs previously considered by the Operations Group.

(iii) Give approval for specific sensitive intelligence collection operations as designated by the Operations Group.

(iv) Conduct periodic reviews of ongoing sensitive intelligence collection operations.

(3) The Operations Group shall discharge the responsibilities assigned by subparagraphs (c) (2) (i) and (c) (2) (iii) of this section only after consideration in a formal meeting attended by all members and observers; or, in unusual circumstances when any member or observer is unavailable, when a designated representative of the member or observer attends.

(4) The staff of the National Security Council shall provide support to the Operations Group.

(d) Director of Central Intelligence.

(1) The Director of Central Intelligence,

pursuant to the National Security Act of 1947, shall be responsible directly to the National Security Council and the President. He shall:

(i) Chair the CFI.

(ii) Act as executive head of the CIA and Intelligence Community staff.

(iii) Ensure the development and submission of a budget for the National Foreign Intelligence Program to the CFI.

(iv) Act as the President's primary adviser on foreign intelligence and provide him and other officials in the Executive branch with foreign intelligence, including National Intelligence Estimates; develop national intelligence requirements and priorities; and supervise production and dissemination of national intelligence.

(v) Ensure appropriate implementation of special activities in support of national foreign policy objectives.

(vi) Establish procedures to ensure the propriety of requests, and responses thereto, from the White House Staff or other Executive departments and agencies to the Intelligence Community.

(vii) Ensure that appropriate programs are developed which properly protect intelligence sources, methods and analytical procedures. His responsibility within the United States shall be limited to:

(A) Protection by lawful means against disclosure by present or former employees of the Central Intelligence Agency or persons, or employees of persons or organizations, presently or formerly under contract with the Agency;

(B) providing leadership, guidance and technical assistance to other government departments and agencies performing foreign intelligence activities; and

(C) in cases involving serious or continuing security violations, recommending to the Attorney General that the case be referred to the Federal Bureau of Investigation for further investigation.

(viii) Establish a vigorous program to downgrade and declassify foreign intelligence information as appropriate and consistent with Executive Order No. 11652.

(ix) Ensure the existence of strong Inspector General capabilities in all elements of the Intelligence Community and that each Inspector General submits quarterly to the Intelligence Oversight Board a report which sets forth any questionable activities in which that intelligence organization has engaged or is engaged.

(x) Ensure the establishment, by the Intelligence Community, of common security standards for managing and handling foreign intelligence systems, information and products, and for granting access thereto.



(xi) Act as the principal spokesman to the Congress for the Intelligence Community and facilitate the use of foreign intelligence products by Congress.

(xii) Promote the development and maintenance by the Central Intelligence Agency of services of common concern to the Intelligence Community organizations, including multi-discipline analysis, national level intelligence products, and a national level current intelligence publication.

(xiii) Establish uniform criteria for the identification, selection, and designation of relative priorities for the transmission of critical intelligence, and provide the Secretary of Defense with continuing guidance as to the communications requirements of the Intelligence Community for the transmission of such intelligence.

(xiv) Establish such committees of collectors, producers and users of intelligence to assist in his conduct of his responsibilities as he deems appropriate.

(xv) Consult with users and producers of intelligence, including the Departments of State, Treasury, and Defense, the military services, the Federal Bureau of Investigation, the Energy Research and Development Administration, and the Council of Economic Advisors, to ensure the timeliness, relevancy and quality of the intelligence product.

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(2) To assist the Director of Central Intelligence in the supervision and direction of the Intelligence Community, the position of Deputy to the Director of Central Intelligence for the Intelligence Community is hereby established (Committee on Foreign Intelligence).

(3) To assist the Director of Central Intelligence in the supervision and direction of the Central Intelligence Agency, the Director of Central Intelligence shall, to the extent consistent with his statutory responsibilities, delegate the day-to-day operation of the Central Intelligence Agency to the Deputy Director of Central Intelligence (50 U.S.C. 403(a)).

(4) To assist the DCI in the fulfillment of his responsibilities, the heads of all departments and agencies shall give him access to all information relevant to the foreign intelligence needs of the United States. Relevant information requested by the DCI shall be provided, and the DCI shall take appropriate steps to maintain its confidentiality.

Sec. 4. Responsibilities and Duties of the Intelligence Community. Purpose. The rules of operation prescribed by this section of the Order relate to the activities of our foreign intelligence agencies. In some instances, detailed implementation of this Executive order will be contained in classified documents because of the sensitivity of the information and its relation

to national security. All such classified instructions will be consistent with this Order. Unless otherwise specified within this section, its provisions apply to activities both inside and outside the United States, and all references to law are to applicable laws of the United States. Nothing in this section of this Order shall be construed to interfere with any law-enforcement responsibility of any department or agency.

(a) Senior Officials of the Intelligence Community.

The senior officials of the CIA, Departments of State, Treasury and Defense, ERDA and the FBI shall ensure that, in discharging the duties and responsibilities enumerated for their organizations which relate to foreign intelligence, they are responsive to the needs of the President, the National Security Council and other elements of the Government. In carrying out their duties and responsibilities, senior officials shall ensure that all policies and directives relating to intelligence activities are carried out in accordance with law and this Order, including Section 5, and shall:

(1) Make appropriate use of the capabilities of the other elements of the Intelligence Community in order to achieve maximum efficiency.

(2) Contribute in areas of his responsibility to the national intelligence products produced under auspices of the Director of Central Intelligence.

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(3) Establish internal policies and guidelines governing employee conduct and ensuring that such are made known to, and acknowledged by, each employee.

(4) Provide for a strong and independent organization for identification and inspection of, and reporting on, unauthorized activity.

(5) Report to the Attorney General that information which relates to detection or prevention of possible violations of law by any person, including an employee of the senior official's department or agency.

(6) Furnish to the Director of Central Intelligence, the CFI, the Operations Group, the President's Foreign Intelligence Advisory Board, and the Intelligence Oversight Board all of the information required for the performance of their respective duties.

(7) Participate, as appropriate, in the provision of services of common concern as directed by the Director of Central Intelligence and provide other departments and agencies with such mutual assistance as may be within his capabilities and as may be required in the interests of the Intelligence Community for reasons of economy, effectiveness, or operational necessity.

(8) Protect intelligence and intelligence sources and methods within his department or agency, consistent with policies and guidance of the Director of Central Intelligence.

(9) Conduct a continuing review of all classified material originating within his organization and promptly declassifying such material consistent with Executive Order No. 11652, as amended.

(10) Provide administrative and support functions required by his department or agency.

(b) The Central Intelligence Agency. All duties and responsibilities of the Central Intelligence Agency shall be related to the foreign intelligence functions outlined below. As authorized by the National Security Act of 1947, as amended, the CIA Act of 1949, as amended, and other laws, regulations, and directives, the Central Intelligence Agency shall:

(1) Produce and disseminate foreign intelligence relating to the national security, including foreign political, economic, scientific, technical, military, sociological, and geographic intelligence, to meet the needs of the President, the National Security Council, and other elements of the United States Government.

(2) Develop and conduct programs to collect political, economic, scientific, technical, military, geographic, and sociological information, not otherwise

obtainable, relating to foreign intelligence, in accordance with directives of the National Security Council.

(3) Collect and produce intelligence on foreign aspects of international terrorist activities and traffic in narcotics.

(4) Conduct foreign counterintelligence activities outside the United States and when in the United States in coordination with the FBI subject to the approval of the Attorney General.

(5) Carry out such other special activities in support of national foreign policy objectives as may be directed by the President or the National Security Council and which are within the limits of applicable law.

(6) Conduct, for the Intelligence Community, services of common concern as directed by the National Security Council, such as monitoring of foreign public radio and television broadcasts and foreign press services, collection of foreign intelligence information from cooperating sources in the United States, acquisition and translation of foreign publications and photographic interpretation.

(7) Carry out or contract for research, development and procurement of technical systems and devices relating to the functions authorized in this subsection.

(8) Protect the security of its installations, activities, information and personnel. In order to maintain this security, the CIA shall conduct such investigations of applicants, employees, and other persons with similar associations with the CIA as are necessary.

(9) Conduct administrative, technical and support activities in the United States or abroad as may be necessary to perform the functions described in paragraphs (1) through (8) above, including procurement, maintenance and transport; communications and data processing; recruitment and training; the provision of personnel, financial and medical services; development of essential cover and proprietary arrangements; entering into contracts and arrangements with appropriate private companies and institutions to provide classified or unclassified research, analytical and developmental services and specialized expertise; and entering into similar arrangements with academic institutions, provided CIA sponsorship is known to the appropriate senior officials of the academic institutions and to senior project officials.

(c) The Department of State. The Secretary of State shall:

(1) Collect, overtly, foreign political, political-military, sociological, economic, scientific, technical and associated biographic information.

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(2) Produce and disseminate foreign intelligence relating to United States foreign policy as required for the execution of his responsibilities and in support of policy-makers involved in foreign relations within the United States Government.

(3) Disseminate within the United States Government, as appropriate, reports received from United States diplomatic missions abroad.

(4) Coordinate with the Director of Central Intelligence to ensure that United States intelligence activities and programs are useful for and consistent with United States foreign policy.

(5) Transmit reporting requirements of the Intelligence Community to our Chiefs of Missions abroad and provide guidance for their collection effort.

(6) Contribute to the Intelligence Community guidance for its collection of intelligence based on the needs of those responsible for foreign policy decisions.

(7) Support Chiefs of Missions in discharging their responsibilities to direct and coordinate the activities of all elements of their missions.

(d) The Department of the Treasury. The Secretary of the Treasury shall:

(1) Collect, overtly, foreign financial and monetary information.



(2) Participate with the Department of State in the overt collection of general foreign economic information.

(3) Produce that intelligence required for the execution of the Secretary's interdepartmental responsibilities and the mission of the Department of the Treasury.

(4) Contribute intelligence and guidance required for the development of national intelligence.

(5) Disseminate within the United States Government, as appropriate, foreign intelligence information acquired.

(e) Department of Defense.

(1) The Secretary of Defense shall:

(i) Collect foreign military intelligence information as well as military-related foreign intelligence information, including scientific, technical, political and economic information as required for the execution of his responsibilities.

(ii) Produce and disseminate, as appropriate, intelligence emphasizing foreign military capabilities and intentions and scientific, technical and economic developments pertinent to his responsibilities.

(iii) Conduct such programs and missions necessary to fulfill national intelligence requirements as determined by the CFI.

(iv) Direct, fund and operate the National Security Agency, and national, defense and military intelligence and reconnaissance entities as required.

(v) Conduct, as the executive agent of the United States Government, signals intelligence activities and communications security, except as otherwise approved by the CFI.

(vi) Provide for the timely transmission of critical intelligence, as defined by the Director of Central Intelligence, within the United States Government.

(2) In carrying out these assigned responsibilities, the Secretary of Defense is authorized to utilize the following:

(i) The Defense Intelligence Agency (whose functions, authorities and responsibilities are currently publicly assigned by Department of Defense Directive No. 5105.21) to:

(A) Produce or provide military intelligence for the Secretary of Defense, the Joint Chiefs of Staff, other Defense components, and, as appropriate, non-Defense agencies.

(B) Coordinate all Department of Defense intelligence collection requirements and manage the Defense Attache system.

(C) Establish substantive intelligence priority goals and objectives for the Department of Defense and provide guidance on substantive intelligence matters to all major Defense intelligence activities.

(D) Review and maintain cognizance over all plans, policies and procedures for noncryptologic intelligence functions of the Department of Defense.

(E) Provide intelligence staff support as directed by the Joint Chiefs of Staff.

(ii) The National Security Agency, whose functions, authorities and responsibilities shall include:

(A) Establishment and operation of an effective unified organization for the signals intelligence activities of the United States Government, except for certain operations which are normally exercised through appropriate elements of the military command structure, or by the CIA.

(B) Exercise control over signals intelligence collection and processing activities of the Government, delegating to an appropriate agent specified resources for such periods and tasks as required for the direct support of military commanders.

(C) Collection, processing and dissemination of signals intelligence in accordance with objectives, requirements, and priorities established by the Director of Central Intelligence.

(D) Dissemination of signals intelligence to all authorized elements of the Government, including the Armed Services, as requested.

(E) Serving under the Secretary of Defense as the central communications security authority of the United States Government.

(F) Conduct of research and development to meet the needs of the United States for signals intelligence and communications security.

(iii) Special offices for the collection of specialized intelligence through reconnaissance programs, whose functions, authorities, and responsibilities shall include:

(A) Carrying out consolidated programs for reconnaissance.

(B) Assigning responsibility to the various departments and agencies of the Government, according to their capabilities, for the research, development, procurement, operations and control of designated means of collection.

(iv) Such other offices within the Department of Defense as shall be deemed appropriate for conduct of the intelligence missions and responsibilities assigned to the Secretary of Defense.

(f) Energy Research and Development Administration.  
The Administrator of the Energy Research and Development Administration shall:

(1) Produce intelligence required for the execution of his responsibilities and the mission of the Energy Research and Development Administration, hereinafter referred to as ERDA, including the area of nuclear and atomic energy.

(2) Disseminate such intelligence and provide technical and analytical expertise to other Intelligence Community organizations and be responsive to the guidance of the Director of Central Intelligence and the Committee on Foreign Intelligence.

(3) Participate with other Intelligence Community agencies and departments in formulating collection requirements where its special technical expertise can contribute to such collection requirements.

(g) The Federal Bureau of Investigation. Under the supervision of the Attorney General and pursuant to such regulations as the Attorney General may establish, the Director of the FBI shall:

(1) Detect and prevent espionage, sabotage, subversion, and other unlawful activities by or on behalf of foreign powers through such lawful counterintelligence operations within the United States, including electronic surveillance, as are necessary or useful for such purposes.

(2) Conduct within the United States and its territories, when requested by officials of the Intelligence Community designated by the President, those lawful activities, including electronic surveillance, authorized by the President and specifically approved by the Attorney General, to be undertaken in support of foreign intelligence collection requirements of other intelligence agencies.

(3) Collect foreign intelligence by lawful means within the United States and its territories when requested by officials of the Intelligence Community designated by the President to make such requests.

(4) Disseminate, as appropriate, foreign intelligence and counterintelligence information which it acquires to appropriate Federal agencies, State and local law enforcement agencies and cooperating foreign governments.

(5) Carry out or contract for research, development and procurement of technical systems and devices relating to the functions authorized above.

Sec. 5. Restrictions on Intelligence Activities.

Information about the capabilities, intentions and activities of other governments is essential to informed decision-making in the field of national defense and foreign relations. The measures employed to acquire such information should be responsive to the legitimate needs of our Government and must be conducted in a manner which preserves and respects our established concepts of privacy and our civil liberties.

Recent events have clearly indicated the desirability of government-wide direction which will ensure a proper balancing of these interests. This section of this Order does not authorize any activity not previously authorized

and does not provide exemption from any restrictions otherwise applicable. Unless otherwise specified, the provisions of this section apply to activities both inside and outside the United States. References to law are to applicable laws of the United States.

(a) Definitions. As used in this section of this Order, the following terms shall have the meanings ascribed to them below:

(1) "Collection" means any one or more of the gathering, analysis, dissemination or storage of non-publicly available information without the informed express consent of the subject of the information.

(2) "Counterintelligence" means information concerning the protection of foreign intelligence or of national security information and its collection from detection or disclosure.

(3) "Electronic surveillance" means acquisition of a non-public communication by electronic means, without the consent of a person who is a party to, or, in the case of a non-electronic communication, visibly present at, the communication.

(4) "Employee" means a person employed by, assigned or detailed to, or acting for a United States foreign intelligence agency.

(5) "Foreign intelligence" means information concerning the capabilities, intentions and activities of any foreign power, or of any non-United States person, whether within or outside the United States, or concerning areas outside the United States.

(6) "Foreign intelligence agency" means the Central Intelligence Agency, National Security Agency, and Defense Intelligence Agency; and further includes any other department or agency of the United States Government or component thereof while it is engaged in the collection of foreign intelligence or counter-intelligence, but shall not include any such department, agency or component thereof to the extent that it is engaged in its authorized civil or criminal law enforcement functions; nor shall it include in any case the Federal Bureau of Investigation.

(7) "National security information" has the meaning ascribed to it in Executive Order No. 11652, as amended.

(8) "Physical surveillance" means continuing visual observation by any means; or acquisition of a non-public communication by a person not a party thereto or visibly present thereat through any means which does not involve electronic surveillance.



(9) "United States person" means United States citizens, aliens admitted to the United States for permanent residence and corporations or other organizations incorporated or organized in the United States.

(b) Restrictions on Collection. Foreign intelligence agencies shall not engage in any of the following activities:

(1) Physical surveillance directed against a United States person, unless it is a lawful surveillance conducted pursuant to procedures approved by the head of the foreign intelligence agency and directed against any of the following:

(i) A present or former employee of such agency, its present or former contractors or their present or former employees, for the purpose of protecting foreign intelligence or counterintelligence sources or methods or national security information from unauthorized disclosure; or

(ii) a United States person, who is in contact with either such a present or former contractor or employee or with a non-United States person who is the subject of a foreign intelligence or counterintelligence inquiry, but only to the extent necessary to identify such United States person; or

(iii) a United States person outside the United States who is reasonably believed to be acting on behalf

of a foreign power or engaging in international terrorist or narcotics activities or activities threatening the national security.

(2) Electronic surveillance to intercept a 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 within the United States, except for the purpose of testing equipment under procedures approved by the Attorney General consistent with law.

(3) Unconsented physical searches within the United States; or unconsented physical searches directed against United States persons abroad, except lawful searches under procedures approved by the Attorney General.

(4) Opening of mail or examination of envelopes of mail in United States postal channels except in accordance with applicable statutes and regulations.

(5) Examination of Federal tax returns or tax information except in accordance with applicable statutes and regulations.

(6) Infiltration or undisclosed participation within the United States in any organization for the purpose of reporting on or influencing its activities

or members; except such infiltration or participation with respect to an organization composed primarily of non-United States persons which is reasonably believed to be acting on behalf of a foreign power.

(7) Collection of information, however acquired, concerning the domestic activities of United States persons except:

(i) Information concerning corporations or other commercial organizations which constitutes foreign intelligence or counterintelligence.

(ii) Information concerning present or former employees, present or former contractors or their present or former employees, or applicants for any such employment or contracting, necessary to protect foreign intelligence or counterintelligence sources or methods or national security information from unauthorized disclosure; and the identity of persons in contact with the foregoing or with a non-United States person who is the subject of a foreign intelligence or counterintelligence inquiry.

(iii) Information concerning persons who are reasonably believed to be potential sources or contacts, but only for the purpose of determining the suitability or credibility of such persons.

(iv) Foreign intelligence or counterintelligence gathered abroad or from electronic surveillance conducted in compliance with Section 5(b)(2); or foreign intelligence acquired from cooperating sources in the United States.

(v) Information about a United States person who is reasonably believed to be acting on behalf of a foreign power or engaging in international terrorist or narcotics activities.

(vi) Information concerning persons or activities that pose a clear threat to foreign intelligence agency facilities or personnel, provided, that such information is retained only by the foreign intelligence agency threatened and that proper coordination with the Federal Bureau of Investigation is accomplished.

(c) Dissemination and Storage. Nothing in this section of this Order shall prohibit:

(1) Lawful dissemination to the appropriate law enforcement agencies of incidentally gathered information indicating involvement in activities which may be in violation of law.

(2) Storage of information required by law to be retained.

(3) Dissemination to foreign intelligence agencies of information of the subject matter types listed in Section 5(b)(7).

(d) Restrictions on Experimentation. Foreign intelligence agencies shall not engage in experimentation with drugs on human subjects, except with the informed consent, in writing and witnessed by a disinterested third party, of each such human subject and in accordance with the guidelines issued by the National Commission for the Protection of Human Subjects for Biomedical and Behavioral Research.

(e) Assistance to Law Enforcement Authorities.

(1) No foreign intelligence agency shall, except as expressly authorized by law (i) provide services, equipment, personnel or facilities to the Law Enforcement Assistance Administration or to State or local police organizations of the United States or (ii) participate in or fund any law enforcement activity within the United States.

(2) These prohibitions shall not, however, preclude: (i) cooperation between a foreign intelligence agency and appropriate law enforcement agencies for the purpose of protecting the personnel and facilities of the foreign intelligence agency or preventing espionage or other criminal activity related to foreign intelligence or counterintelligence or (ii) provision of specialized equipment or technical knowledge for use by any other Federal department or agency.

(f) Assignment of Personnel. An employee of a foreign intelligence agency detailed elsewhere within the Federal Government shall be responsible to the host agency and shall not report to such employee's parent agency on the affairs of the host agency, except as may be directed by the latter. The head of the host agency, and any successor, shall be informed of the detailee's association with the parent agency.

(g) Prohibition of Assassination. No employee of the United States Government shall engage in, or conspire to engage in, political assassination.

(h) Implementation.

(1) This section of this Order shall be effective on March 1, 1976. Each department and agency affected by this section of this Order shall promptly issue internal directives to implement this section with respect to its foreign intelligence and counterintelligence operations.

(2) The Attorney General shall, within ninety days of the effective date of this section of this Order, issue guidelines relating to activities of the Federal Bureau of Investigation in the areas of foreign intelligence and counterintelligence.

Sec. 6. Oversight of Intelligence Organizations.

(a) There is hereby established an Intelligence Oversight Board, hereinafter referred to as the Oversight Board.

(1) The Oversight Board shall have three members who shall be appointed by the President and who shall be from outside the Government and be qualified on the basis of ability, knowledge, diversity of background and experience. The members of the Oversight Board may also serve on the President's Foreign Intelligence Advisory Board (Executive Order No. 11460 of March 20, 1969). No member of the Oversight Board shall have any personal contractual relationship with any agency or department of the Intelligence Community.

(2) One member of the Oversight Board shall be designated by the President as its Chairman.

(3) The Oversight Board shall:

(i) Receive and consider reports by Inspectors General and General Counsels of the Intelligence Community concerning activities that raise questions of legality or propriety.

(ii) Review periodically the practices and procedures of the Inspectors General and General Counsels of the Intelligence Community designed to discover and report to the Oversight Board activities that raise questions of legality or propriety.

(iii) Review periodically with each member of the Intelligence Community their internal guidelines to ensure their adequacy.

(iv) Report periodically, at least quarterly, to the Attorney General and the President on its findings.

(v) Report in a timely manner to the Attorney General and to the President any activities that raise serious questions about legality.

(vi) Report in a timely manner to the President any activities that raise serious questions about propriety.

(b) Inspectors General and General Counsels within the Intelligence Community shall:

(1) Transmit to the Oversight Board reports of any activities that come to their attention that raise questions of legality or propriety.

(2) Report periodically, at least quarterly, to the Oversight Board on its findings concerning questionable activities, if any.

(3) Provide to the Oversight Board all information requested about activities within their respective departments or agencies.

(4) Report to the Oversight Board any occasion on which they were directed not to report any activity to the Oversight Board by their agency or department heads.

(5) Formulate practices and procedures designed to discover and report to the Oversight Board activities that raise questions of legality or propriety.

(c) Heads of intelligence agencies or departments shall:



(1) Report periodically to the Oversight Board on any activities of their organizations that raise questions of legality or propriety.

(2) Instruct their employees to cooperate fully with the Oversight Board.

(3) Ensure that Inspectors General and General Counsels of their agencies have access to any information necessary to perform their duties assigned by paragraph (4) of this section.

(d) The Attorney General shall:

(1) Receive and consider reports from the Oversight Board.

(2) Report periodically, at least quarterly, to the President with respect to activities of the Intelligence Community, if any, which raise questions of legality.

(e) The Oversight Board shall receive staff support. No person who serves on the staff of the Oversight Board shall have any contractual or employment relationship with any department or agency in the Intelligence Community.

(f) The President's Foreign Intelligence Advisory Board established by Executive Order No. 11460 of March 20, 1969, remains in effect.

Sec. 7. Secrecy Protection.

(a) In order to improve the protection of sources

and methods of intelligence, all members of the Executive branch and its contractors given access to information containing sources or methods of intelligence shall, as a condition of obtaining access, sign an agreement that they will not disclose that information to persons not authorized to receive it.

(b) In the event of any unauthorized disclosure of information concerning sources or methods of intelligence, the names of any persons found to have made unauthorized disclosure shall be forwarded (1) to the head of applicable departments or agencies for appropriate disciplinary action; and (2) to the Attorney General for appropriate legal action.

(c) In the event of any threatened unauthorized disclosure of information concerning sources or methods of intelligence by a person who has agreed not to make such disclosure, the details of the threatened disclosure shall be transmitted to the Attorney General for appropriate legal action, including the seeking of a judicial order to prevent such disclosure.

(d) In further pursuit of the need to provide protection for other significant areas of intelligence, the Director of Central Intelligence is authorized to promulgate rules and regulations to expand the scope of agreements secured from those persons who, as an aspect of their relationship with the United States Government, have access to classified intelligence material.

Sec. 8. Enabling Data.

(a) The Committee on Foreign Intelligence and the Director of Central Intelligence shall provide for detailed implementation of this Order by issuing appropriate directives.

(b) All existing National Security Council and Director of Central Intelligence directives shall be amended to be consistent with this Order within ninety days of its effective date.

(c) This Order shall supersede the Presidential Memorandum of November 5, 1971, on the "Organization and Management of the U.S. Foreign Intelligence Community."

(d) Heads of departments and agencies within the Intelligence Community shall issue supplementary directives to their organizations consistent with this Order within ninety days of its effective date.

(e) This Order will be implemented within current manning authorizations of the Intelligence Community. To this end, the Director of the Office of Management and Budget will facilitate the required realignment of personnel positions. The Director of the Office of Management and Budget will also assist in the allocation of appropriate facilities.

THE WHITE HOUSE,  
February 18, 1976.

*General R. Ford*

[FR Doc.76-5010 Filed 2-18-76;12:36 pm]

EDITORIAL NOTE: For the President's remarks at his news conference of February 17, 1976, announcing a reorganization of the intelligence community, see the Weekly Compilation of Presidential Documents (vol. 12, no. 17).

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THE WHITE HOUSE  
WASHINGTON

March 10, 1976

MEMORANDUM FOR WORKING MEMBERS OF ICG  
FROM: JACK MARSH *JM*  
SUBJECT: EXECUTIVE ORDER ANNOTATIONS

Attached are annotations of the President's Executive Order on the Intelligence Community. These represent the consensus of the working group which worked on the Executive Order and, in some cases, the position the President took where there was a split among the agencies and departments.

I hope that these annotations will be of assistance to you as you implement the provisions of the Executive Order.

Attachment

Distribution: ✓ George Bush, CIA  
Robert Ellsworth, Defense  
Harold Saunders, State  
Nino Scalia and Rex Lee, Justice  
Bill Hyland, NSC  
Don Ogilvie, OMB  
Phil Buchen  
Mike Duval

Annotations (p. 3)

2 (b) (5) - (9) The "intelligence elements" referred to here do not include organizations whose primary job is law enforcement, such as the Internal Revenue Service, even though they may collect intelligence for a law enforcement purpose. This term refers to those organizations which carry out the intelligence functions enumerated in Section 4.

2 (c) Special activities in support of national foreign policy objectives means covert action.

2 (d) This subsection allows the CFI to determine whether a certain program (other than those relating solely to tactical intelligence) should be considered a part of the National Foreign Intelligence Program. This flexibility is necessary since current budget classifications may be changed over the years.

Annotations (p. 7)

2(c)(2)(iii) Approval of sensitive intelligence collection operations is required only when such operations have been designated by the Operations Group. No change from past approval procedures for certain types of overhead reconnaissance was necessarily intended, but the Operations Group was given authority to expand the scope of sensitive intelligence collection operations over which it would have approval authority.

2(c)(3) This provision requires that the Operations Group meet formally to consider proposals for new covert actions and sensitive collection operations.



Annotations (p. 5)

(b)(1) The Deputy Secretary of Defense for Intelligence is the Deputy Secretary of Defense who is responsible for intelligence matters.

(b)(2)(ii) In establishing these policy priorities, the CFI will generally be implementing the findings of the NSC in its semi-annual review of intelligence policies and the CFI's resource decisions. These policy priorities should not interfere with the DCI's responsibility for the substantive production of intelligence national, as detailed in Section 3(d)(iv). The CFI is given no responsibilities for substantive intelligence judgments; those responsibilities are the DCI's alone. A simple example may help demonstrate the distinction between the CFI's policy priority responsibilities and the DCI's substantive intelligence responsibilities: The CFI might issue a policy that more intelligence resources (both in collection and production) shall be allocated to obtaining information on the oil policies of Middle Eastern nations. The DCI alone however would be responsible for the actual intelligence estimates of those Middle Eastern policies.

Annotations (p. 8)

d(1)(ii) The DCI is executive head of the CIA under the terms of the National Security Act; he is head of the Intelligence Community staff as a responsibility assigned by this Executive Order (See also Sections 3(b)(3) and 3 (d) (2).)

d (1) (vii) The primary rationale for the limitations on the DCI's responsibilities in protecting sources and methods in the United States was to rule out CIA investigations of unauthorized disclosures other than disclosures from the CIA itself. This limitation was recommended by the Rockefeller Commission. CIA investigations will be limited by the restrictions contained in Section 5 of the Executive Order.

Annotations (p. 10)

4(d) (xiii) This DCI responsibility should be read in conjunction with the responsibility of the Secretary of Defense (in Section 4(e) (1) (vi)) to provide for the timely transmission of critical intelligence.

4(d) (xiv) This provision empowers the DCI to establish committees of producers and consumers of intelligence. He may choose to reconstitute the United States Intelligence Board or a similar organization to assist him in producing national intelligence.

Annotations (p. 11)

4 (d) (2) The reference to Committee on Foreign Intelligence in this paragraph was meant as a cross reference to Section 3 (b) (3) and was not intended to imply that all activities of the Deputy to the Director of Central for the Intelligence Community will be related to the Committee on Foreign Intelligence.

4 (d) (4) This provision is designed to ensure that the DCI receives all relevant foreign intelligence information coming into the possession of the departments and agencies of our Government.

Sec. 4 In describing the responsibilities and duties of the Intelligence Community, the intention was to write in unclassified form those responsibilities as they already existed in classified form. Other than those changes necessary to take account of the new control and direction organizations established in Section 3, the restrictions in Section 5, and the new oversight in Section 6, no changes in the responsibilities and duties of the Intelligence Community, as previously assigned, were intended in Section 4.

Annotations (p. 13)

4(a)(5) This provision requires that agency heads report to the Attorney General any information they may obtain which relates to the commission of federal crimes. It is not intended to authorize any new collection activities but is intended to allow appropriate dissemination of incidentally collected information which relates to crimes. See Section 5 (c) (1).

Annotations (p. 14)

4(b) - This subsection makes it clear that all activities of the CIA must relate to foreign intelligence.

Annotations (p. 15)

4(b) (3) This assignment must be read in light of the prohibition in the National Security Act of 1947 against the CIA's performing any law enforcement role. This provision, therefore, is intended to task the CIA to collect and produce "strategic" intelligence relating to international narcotics traffic and terrorism. This would include subjects such as: identity of major source countries for narcotics, predominant international routes for narcotics transportation, etc. It would not include collection of information intended for use as evidence in a criminal prosecution.

Annotations (p. 16)

4(b)(8) All activities conducted by the CIA, including those designed to fulfill this responsibility, are subject to the restrictions contained in Section 5 of this order.

4(b)(9) The proviso at the end of this paragraph requires that the head of a university with which the CIA enters a contract must be informed of the agency's sponsorship, as well as those officials actually heading the project in question, such as the head of a laboratory conducting the research contracted for.



Annotations (p. 17)

X1 4(c)(5) This provision does not imply that collection requirements for defense attaches  are to be determined by the State Department.

Annotations (p. 19)

4(e)(1)(v) The proviso "except as otherwise approved by the CFI", and the proviso in Section 4 (e)(2)(ii)(A) "or by the CIA," were included to recognize that NSCID #6, allows certain signals intelligence activities to be conducted by the CIA. No change from existing classified directives was intended. (NOTE: The phrase "except as otherwise approved by the CFI" was erroneously included in 4(e)(1)(vi) in the copy of the Executive Order in the original White House package. The phrase was transferred to 4 (e)(1)(v) before the order appeared in the Federal Register.)

4(e)(2) The intent of this paragraph is to specify the functions currently performed by DIA and NSA. It is not intended to deprive the Secretary of Defense of whatever authority he may have to reassign these functions to other elements of his department.

Annotations (p. 21)

(e) (2) (iv) This provision recognizes the existence of offices in the Department of Defense other than DIA, NSA and special offices for reconnaissance programs, which the Secretary of Defense utilizes to fulfill the responsibilities assigned in Section 4 (e) (1). These include the intelligence offices in each of the military services.

Annotations (p. 22)

4 (g)(1) The reference to lawful counterintelligence operations was intended to refer to foreign counterintelligence operations.

4 (g) (2) This provision is intended to deal with activities by the FBI in support of foreign intelligence collection requirements of other intelligence agencies. It is not intended to deal with collection of intelligence through human sources.

Annotations (p. 23)

4(g)(3) This provision is intended to relate primarily to the collection of foreign intelligence by non-technical means.

4(g)(4) The reference to foreign intelligence and counterintelligence information was intended to refer to foreign intelligence and foreign counterintelligence information.

Sec. 5 In stating that "This section of this Order does not authorize any activity not previously authorized, "it is meant that Section 5 of the Order should not be read to authorize any activity directly or indirectly, but rather to establish restrictions on already authorized activity. In stating that this section of the Order "does not provide exemption from any restrictions otherwise applicable, " it was meant that if any statutes, other executive orders or internal department or agency regulations placed stricter regulations on foreign intelligence agencies, Section 5 of this Order did not relax those restrictions.

Annotations (p. 24)

(a)(3) The monitoring of a telephone conversation with the consent of one party does not constitute electronic surveillance under this definition. This is consistent with Title III of the Omnibus Crime Control and Safe Streets Act of 1968. Also, the recording of an ordinary oral conversation by someone who can be seen by both parties to it (and therefore can reasonably be expected to overhear it) does not constitute electronic surveillance.

Annotations (p. 25)

(a) (6) For the purposes of this order, the CIA, NSA, and DIA are considered "foreign intelligence agencies" (and therefore subject to these restrictions) with respect to all of their activities. (NSA, for example, has responsibilities for communications security, which does not constitute a foreign intelligence or counterintelligence activity.) Other agencies (not including the FBI) are deemed "foreign intelligence agencies" whenever they are engaged in activities related to foreign intelligence or counterintelligence.

(a) (8) The definition of physical surveillance refers primarily to systematic observation of an individual designed to determine all of his regular daily activities. It also refers to the acquisition of an oral communication by a person not otherwise a party thereto or visibly present thereat through any means which does not involve electronic surveillance. This second half of the definition refers primarily to a situation where a person hides in a room to overhear what persons in the room are saying.

Annotations (p. 26)

(b)(1) Foreign intelligence agencies may engage in physical surveillance of U. S. persons only under very limited circumstances. Within the U. S. , only two types of U. S. subjects may be physically surveilled:

(a) Present and former employees of the agency or its contractors. They may be surveilled only for the purpose of preventing unauthorized disclosure of classified information obtained as a result of their employment.

(b) Persons who are observed in contact with employees described above during a surveillance of such employees, but only long enough to identify such persons. This exception is necessary to allow leads to be followed up by the FBI, if appropriate; it does not allow any surveillance for purposes other than establishing identity.

Physical surveillance abroad by foreign intelligence agencies of U. S. persons is limited to those who are reasonably believed to be acting on behalf of a foreign power or engaging in international terrorist or narcotics activities or other activities threatening the U. S. These few U. S. persons who may be surveilled abroad are in a class that represents serious dangers to the U. S. In many foreign countries, only foreign intelligence agencies can perform this task.



Annotations (p. 27)

(b) (2) No electronic surveillance performed by foreign intelligence agencies is allowed of communications made from or received in the United States or directed against United States persons abroad unless the procedures for such surveillance are approved by the Attorney General. The Attorney General will establish such procedures, and in many cases, his approval will be required for each individual surveillance. Further, the CIA is prohibited from performing any electronic surveillance within the United States except for the purpose of testing equipment under lawful procedures approved by the Attorney General. If the CIA has any legitimate need for electronic surveillance, it is allowed to ask other agencies to perform such surveillance; the CIA may give technical assistance for such surveillance.

(b) (3) Foreign intelligence agencies are prohibited from searching persons, homes or offices in the United States. Lawful physical searches abroad directed against U.S. persons are allowed only under procedures approved by the Attorney General.

(b) (6) This subsection bars infiltration of groups within the U.S. for the purpose of collecting foreign intelligence or counterintelligence. It does not prohibit placement by a foreign intelligence agency of an individual in a group for the limited purpose of developing associations and credentials to be utilized in collecting foreign intelligence or counterintelligence outside of the United States. This provision contains an exception for organizations composed primarily of foreigners and reasonably believed to be acting on behalf of a foreign power. Information on such groups would constitute legitimate foreign intelligence and counterintelligence.

Annotations (p. 28)

(b) (7) This subsection, with certain exceptions, prohibits a foreign intelligence agency from gathering, analyzing, disseminating, or storing non-publicly available information on the domestic activities of U.S. persons.

(b) (7) (i) Much information on even the domestic activities of corporations organized in the United States is of relevance to foreign intelligence and counterintelligence. For example, commercial organizations owned or controlled by foreign governments are often incorporated here; many of their activities shed light on the capabilities and intentions of the governments which control them. Even many truly American corporations (especially multinational corporations) are so engaged in international commerce that information on their domestic activities is essential to understand significant trends in foreign economic affairs. For example, a U.S. wheat seller's plans to sell to the Soviet Union are domestic activities highly relevant to foreign intelligence. Therefore, this provision allows foreign intelligence agencies to have information on U.S. corporations, but only to the extent that it constitutes legitimate foreign intelligence or counterintelligence.

(b) (7) (ii) This exception recognizes several appropriate activities of foreign intelligence agencies. In order to protect classified information, intelligence agencies must run security checks on applicants for employment and employees. Like any Government agency, these agencies must also check out employee backgrounds to ascertain their job suitability. Even after a person has left an intelligence agency, it has a legitimate need to maintain its records on that person should a security breach stemming from his employment occur. Similarly, each intelligence agency has an interest in the suitability and security worthiness of persons who contract with it or are employees of its contractors working on its projects and requiring access to classified information. Each intelligence agency must also maintain records on persons who, without necessarily being employed by it, are given access to its classified information. Such persons would include employees of other Government agencies who require access to its classified information and private citizens who voluntarily agree to be cleared to receive classified information in order to aid in their voluntary reporting of foreign intelligence information to the agency.

Annotations (p. 28) Continued.

(b) (7) (iii) Each intelligence agency will on occasion consider contacting a U.S. person because he may be a potential source or contact who will aid the agency. Before making such contacts, however, the agency will want to be assured that the person would be suitable for such assistance. This exception therefore allows collection of information on such persons, but only for the purpose of determining their suitability or credibility. Furthermore, such a person must reasonably be considered to be a potential source or contact.

Annotations (p. 29)

(b) (7) (iv) This provision recognizes that information on the domestic activities of U. S. individuals can constitute legitimate foreign intelligence or counterintelligence. For example, the fact that a U. S. citizen is recruiting mercenaries within the U. S. to fight in a foreign war constitutes foreign intelligence. Although counter-intelligence normally involves either employees of a foreign intelligence agency or persons acting on behalf of a foreign power, sometimes a U. S. person may be seeking to disclose national defense information. Therefore, foreign intelligence agencies are permitted to have such information. However, such information is not permitted to be collected by spying on Americans within this country. Such information may only be gathered abroad, or from electronic surveillance conducted through procedures approved by the Attorney General, or from *(cooperating sources)* in the United States.

*↳ who are 'spying' on Americans*

(b) (7) (v) Foreign intelligence agencies or other foreign groups use many resources seeking to penetrate (i. e., obtain information from) United States intelligence agencies. The United States agencies need to protect themselves from such activities. Such activities may involve domestic activities of United States persons. Because United States intelligence agencies have a need to understand the operating modes of foreign intelligence agencies, there is a legitimate need for it to collect and use such information. Also, because of the unique contacts of our foreign intelligence agencies with information sources abroad and foreign sources within the United States, these agencies are also permitted to collect information on United States persons reasonably believed to be involved in international terrorist or narcotics activities.

(b) (7) (vi) This provision allows a foreign intelligence agency to collect information about persons that pose a clear threat to the facilities or personnel of the agency involved. However, such information may be retained only by the agency threatened and this agency must coordinate the matter with the FBI. This authority is necessary to allow agencies to take appropriate precautions in cases such as bomb threats or threats to kill agency personnel.

Annotations (p. 29) Continued

(c) (1) This provision allows intelligence agencies to transmit to law-enforcement agencies information indicating involvement in activities which may be in violation of law which it happens to obtain incidentally to its proper foreign intelligence activities. All citizens and Government agencies have an obligation to turn information related to criminal activity over to appropriate authorities.

(c) (2) This allows storage of information required by law to be maintained. For example, should an intelligence agency ever conduct an illegal electronic surveillance, the law requires it to keep records to such an incident for possible court action. Such information, although it may be stored, cannot be used by the agency.

(c) (3) This provision allows agencies to disseminate information of the subject matter types listed as exceptions to the general prohibition of collection of information about the domestic activities of U.S. persons. These represent the limited categories of information on the domestic activities of Americans which foreign intelligence agencies may appropriately have.

With respect to information covered by Section 5 (b)(7)(iv) which is allowed to be collected or retained only if it came from certain sources (i.e., from abroad, electronic surveillance, or cooperating sources in the U.S.), these conditions based on sources are also applicable to Section 7(c)(3) allowing dissemination. That is, if the information specified in Section 5(b)(7)(iv) was not collected from the specified allowed sources, it may not be disseminated pursuant to Section 7 (c) (3).

Annotations (p. 30)

(e) This section recognizes that the FBI and LEAA are the appropriate federal agencies to give assistance to state and local law enforcement agencies.

It also recognizes the 1973 amendment to the Omnibus Crime Control and Safe Streets Act (the Holtzmann Amendment), which prohibits CIA assistance to the Law Enforcement Assistance Administration and evidences congressional disapproval of direct CIA assistance to state and local police departments in general.

Annotation (p. 31)

5 (h) (2) Attorney General guidelines on the FBI, as called for in this paragraph, may be classified.

Annotations (p. 32)

6 (a) (3) The Oversight Board has jurisdiction over the Intelligence Community, as defined in Section 2 (b). Note that the element of the FBI which performs the functions assigned by Section 4 (g) of this order is under the jurisdiction of the Oversight Board.



Annotations (p. 33)

6 (a) (3) (v) and (vi) Activities raising questions as to legality are required to be reported to the President and the Attorney General. Such activities would include possible criminal infractions and activities, which, although not criminal, are not authorized by the charter of the agency involved. Activities raising mere questions of propriety are required to be reported to the President. These would include activities which, although consistent with U.S. law, may be of questionable morality or judgment.

6 (b) (4) This provision is designed to ensure that an Inspector General cannot be "muzzled" by his agency head. Note, however, that this subsection does not grant Inspectors General the authority to report an activity to the Oversight Board without informing his agency head, in cases where the IG is required by agency practice to notify his superior.

Annotations (p. 34)

6(c)(3) The reference to paragraph (4) of this section should be to paragraph (b) of this section.

6 (e) This provision prohibits detailees from intelligence agencies from serving as staff to the Oversight Board. It is not intended to prohibit detailees from other government agencies except those listed as comprising the Intelligence Community in Section 2 (b). Thus, an employee of a State Department office other than INR would not be covered.

6 (f) This order does not affect the role of PFIAB. It continues to exist and perform the same functions.

Annotations (p. 36)

8 (d) Although the affected departments and agencies are given ninety days to issue supplementary directives, this order became effective when signed by the President, with the exception of Section 5, whose restrictions took effect on March 1, 1976.

C



94<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. RES. 400

[Report No. 94-675]

[Report No. 94-770]

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## IN THE SENATE OF THE UNITED STATES

MARCH 1, 1976

Mr. MANSFIELD (for Mr. RIBICOFF) (for himself, Mr. CHURCH, Mr. PERCY, Mr. BAKER, Mr. BROCK, Mr. CITIES, Mr. GLENN, Mr. HUDDLESTON, Mr. JACKSON, Mr. JAVITS, Mr. MATHIAS, Mr. METCALF, Mr. MONDALE, Mr. MORGAN, Mr. MUSKIE, Mr. NUNN, Mr. ROTH, Mr. SCHWEIKER, and Mr. WEICKER) submitted the following resolution; which was referred to the Committee on Government Operations

MARCH 1, 1976

Reported by Mr. MANSFIELD (for Mr. RIBICOFF), without amendment

MARCH 1, 1976

Referred to the Committee on Rules and Administration for a period extending no later than March 20, 1976

MARCH 18, 1976

Reported by Mr. MANSFIELD (for Mr. CANNON), without amendment

MARCH 18, 1976

Referred simultaneously to the Committee on the Judiciary and the Committee on Rules and Administration with instructions that the Committee on the Judiciary make its recommendations to the Committee on Rules and Administration no later than March 29, 1976, and that the Committee on Rules and Administration files the report no later than April 5, 1976

APRIL 1, 1976

Committee on Rules and Administration authorized to report no later than April 30, 1976, by unanimous consent

APRIL 29, 1976

Reported by Mr. CANNON, with an amendment, and an amendment to the title

MAY 19, 1976

Considered, amended, and agreed to

[Strike out all after "*Resolved*," and insert the part printed in italic]

---

## RESOLUTION

To establish a Standing Committee of the Senate on Intelligence,  
and for other purposes.

1       *Resolved*, That it is the purpose of this resolution to  
2 establish a new select committee of the Senate, to be known  
3 as the Select Committee on Intelligence, to oversee and make  
4 continuing studies of the intelligence activities and programs  
5 of the United States Government, and to submit to the Sen-  
6 ate appropriate proposals for legislation and report to the  
7 Senate concerning such intelligence activities and programs.  
8 In carrying out this purpose, the Select Committee on Intel-  
9 ligence shall make every effort to assure that the appropriate  
10 departments and agencies of the United States provide in-  
11 formed and timely intelligence necessary for the executive  
12 and legislative branches to make sound decisions affecting the  
13 security and vital interests of the Nation. It is further the  
14 purpose of this resolution to provide vigilant legislative over-  
15 sight over the intelligence activities of the United States to  
16 assure that such activities are in conformity with the Con-  
17 stitution and laws of the United States.

18       SEC. 2. (a) (1) There is hereby established a select  
19 committee to be known as the Select Committee on Intelli-  
20 gence (hereinafter in this resolution referred to as the "select  
21 committee"). The select committee shall be composed of  
22 fifteen members appointed as follows:

23           (A) two members from the Committee on  
24       Appropriations;

1 (B) two members from the Committee on Armed  
2 Services;

3 (C) two members from the Committee on Foreign  
4 Relations;

5 (D) two members from the Committee on the  
6 Judiciary; and

7 (E) seven members to be appointed from the Senate  
8 at large.

9 (2) Members appointed from each committee named in  
10 clauses (A) through (D) of paragraph (1) shall be evenly  
11 divided between the two major political parties and shall be  
12 appointed by the President pro tempore of the Senate upon  
13 the recommendations of the majority and minority leaders  
14 of the Senate. Four of the members appointed under clause  
15 (E) of paragraph (1) shall be appointed by the President  
16 pro tempore of the Senate upon the recommendation of the  
17 majority leader of the Senate and three shall be appointed  
18 by the President pro tempore of the Senate upon the recom-  
19 mendation of the minority leader of the Senate.

20 (3) The majority leader of the Senate and the minority  
21 leader of the Senate shall be ex officio members of the select  
22 committee but shall have no vote in the committee and shall  
23 not be counted for purposes of determining a quorum.

24 (b) No Senator may serve on the select committee for



1 more than eight years of continuous service, exclusive of  
2 service by any Senator on such committee during the Ninety-  
3 fourth Congress. To the greatest extent practicable, one-third  
4 of the Members of the Senate appointed to the select com-  
5 mittee at the beginning of the Ninety-seventh Congress and  
6 each Congress thereafter shall be Members of the Senate  
7 who did not serve on such committee during the preceding  
8 Congress.

9 (c) At the beginning of each Congress, the Members  
10 of the Senate who are members of the majority party of  
11 the Senate shall elect a chairman for the select committee,  
12 and the Members of the Senate who are from the minority  
13 party of the Senate shall elect a vice chairman for such  
14 committee. The vice chairman shall act in the place and  
15 stead of the chairman in the absence of the chairman. Neither  
16 the chairman nor the vice chairman of the select commit-  
17 tee shall at the same time serve as chairman or ranking mi-  
18 nority member of any other committee referred to in para-  
19 graph 6 (f) of rule XXV of the Standing Rules of the  
20 Senate.

21 (d) For the purposes of paragraph 6 (a) of rule XXV  
22 of the Standing Rules of the Senate, service of a Senator as  
23 a member of the select committee shall not be taken into  
24 account.

25 SEC. 3. (a) There shall be referred to the select com-

1 mittee all proposed legislation, messages, petitions, memorials,  
2 and other matters relating to the following:

3 (1) The Central Intelligence Agency and the  
4 Director of Central Intelligence.

5 (2) Intelligence activities of all other departments  
6 and agencies of the Government, including, but not  
7 limited to, the intelligence activities of the Defense In-  
8 telligence Agency, the National Security Agency, and  
9 other agencies of the Department of Defense; the De-  
10 partment of State; the Department of Justice; and the  
11 Department of the Treasury.

12 (3) The organization or reorganization of any de-  
13 partment or agency of the Government to the extent  
14 that the organization or reorganization relates to a func-  
15 tion or activity involving intelligence activities.

16 (4) Authorizations for appropriations, both direct  
17 and indirect, for the following:

18 (A) The Central Intelligence Agency and Di-  
19 rector of Central Intelligence.

20 (B) The Defense Intelligence Agency.

21 (C) The National Security Agency.

22 (D) The intelligence activities of other agen-  
23 cies and subdivisions of the Department of Defense.

24 (E) The intelligence activities of the Depart-  
25 ment of State.

1           (F) The intelligence activities of the Federal  
2 Bureau of Investigation, including all activities of  
3 the Intelligence Division.

4           (G) Any department, agency, or subdivision  
5 which is the successor to any agency named in clause  
6 (A), (B), or (C); and the activities of any de-  
7 partment, agency, or subdivision which is the suc-  
8 cessor to any department, agency, bureau, or sub-  
9 division named in clause (D), (E), or (F) to the  
10 extent that the activities of such successor depart-  
11 ment, agency, or subdivision are activities described  
12 in clause (D), (E), or (F).

13           (b) Any proposed legislation reported by the select com-  
14 mittee, except any legislation involving matters specified in  
15 clause (1) or (4) (A) of subsection (a), containing any  
16 matter otherwise within the jurisdiction of any standing  
17 committee shall, at the request of the chairman of such stand-  
18 ing committee, be referred to such standing committee for  
19 its consideration of such matter and be reported to the Sen-  
20 ate by such standing committee within thirty days after the  
21 day on which such proposed legislation is referred to such  
22 standing committee; and any proposed legislation reported  
23 by any committee, other than the select committee, which  
24 contains any matter within the jurisdiction of the select  
25 committee shall, at the request of the chairman of the select

1 committee, be referred to the select committee for its con-  
2 sideration of such matter and be reported to the Senate by  
3 the select committee within thirty days after the day on  
4 which such proposed legislation is referred to such committee.  
5 In any case in which a committee fails to report any pro-  
6 posed legislation referred to it within the time limit prescribed  
7 herein, such committee shall be automatically discharged  
8 from further consideration of such proposed legislation on  
9 the thirtieth day following the day on which such proposed  
10 legislation is referred to such committee unless the Senate  
11 provides otherwise. In computing any thirty-day period  
12 under this paragraph there shall be excluded from such com-  
13 putation any days on which the Senate is not in session.

14 (c) Nothing in this resolution shall be construed as pro-  
15 hibiting or otherwise restricting the authority of any other  
16 committee to study and review any intelligence activity to  
17 the extent that such activity directly affects a matter other-  
18 wise within the jurisdiction of such committee.

19 (d) Nothing in this resolution shall be construed as  
20 amending, limiting, or otherwise changing the authority of  
21 any standing committee of the Senate to obtain full and  
22 prompt access to the product of the intelligence activities  
23 of any department or agency of the Government rele-  
24 vant to a matter otherwise within the jurisdiction of such  
25 committee.

1        SEC. 4. (a) The select committee, for the purposes of  
2        accountability to the Senate, shall make regular and periodic  
3        reports to the Senate on the nature and extent of the intel-  
4        ligence activities of the various departments and agencies of  
5        the United States. Such committee shall promptly call to the  
6        attention of the Senate or to any other appropriate com-  
7        mittee or committees of the Senate any matters requiring the  
8        attention of the Senate or such other committee or commit-  
9        tees. In making such reports, the select committee shall  
10       proceed in a manner consistent with section 8 (c) (2) to  
11       protect national security.

12       (b) The select committee shall obtain an annual report  
13       from the Director of the Central Intelligence Agency, the  
14       Secretary of Defense, the Secretary of State, and the Director  
15       of the Federal Bureau of Investigation. Such reports shall  
16       review the intelligence activities of the agency or depart-  
17       ment concerned and the intelligence activities of foreign  
18       countries directed at the United States or its interest. An  
19       unclassified version of each report may be made available  
20       to the public at the discretion of the select committee. Noth-  
21       ing herein shall be construed as requiring the public disclos-  
22       ure in such reports of the names of individuals engaged in  
23       intelligence activities for the United States or the divulging  
24       of intelligence methods employed or the sources of informa-

1 tion on which such reports are based or the amount of funds  
2 authorized to be appropriated for intelligence activities.

3 (c) On or before March 15 of each year, the select  
4 committee shall submit to the Committee on the Budget of  
5 the Senate the views and estimates described in section 301  
6 (c) of the Congressional Budget Act of 1974 regarding  
7 matters within the jurisdiction of the select committee.

8 SEC. 5. (a) For the purposes of this resolution, the select  
9 committee is authorized in its discretion (1) to make investi-  
10 gations into any matter within its jurisdiction, (2) to make  
11 expenditures from the contingent fund of the Senate, (3) to  
12 employ personnel, (4) to hold hearings, (5) to sit and act  
13 at any time or place during the sessions, recesses, and ad-  
14 journed periods of the Senate, (6) to require, by subpoena  
15 or otherwise, the attendance of witnesses and the production  
16 of correspondence, books, papers, and documents, (7) to  
17 take depositions and other testimony, (8) to procure the  
18 service of individual consultants or organizations thereof, in  
19 accordance with the provisions of section 202 (i) of the Leg-  
20 islative Reorganization Act of 1946, and (9) with the prior  
21 consent of the Government department or agency concerned  
22 and the Committee on Rules and Administration, to use on a  
23 reimbursable basis the services of personnel of any such  
24 department or agency.

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1 (b) The chairman of the select committee or any mem-  
2 ber thereof may administer oaths to witnesses.

3 (c) Subpenas authorized by the select committee may  
4 be issued over the signature of the chairman, the vice chair-  
5 man, or any member of the select committee designated by  
6 the chairman, and may be served by any person designated  
7 by the chairman or any member signing the subpoena.

8 SEC. 6. No employee of the select committee or any  
9 person engaged by contract or otherwise to perform services  
10 for or at the request of such committee shall be given access  
11 to any classified information by such committee unless such  
12 employee or person has (1) agreed in writing and under  
13 oath to be bound by the rules of the Senate (including the  
14 jurisdiction of the Select Committee on Standards and Con-  
15 duct and of such committee as to the security of such infor-  
16 mation during and after the period of his employment or  
17 contractual agreement with such committee; and (2) re-  
18 ceived an appropriate security clearance as determined by  
19 such committee in consultation with the Director of Central  
20 Intelligence. The type of security clearance to be required in  
21 the case of any such employee or person shall, within the  
22 determination of such committee in consultation with the  
23 Director of Central Intelligence, be commensurate with the  
24 sensitivity of the classified information to which such em-  
25 ployee or person will be given access by such committee.

1        SEC. 7. The select committee shall formulate and carry  
2 out such rules and procedures as it deems necessary to pre-  
3 vent the disclosure, without the consent of the person or  
4 persons concerned, of information in the possession of such  
5 committee which unduly infringes upon the privacy or which  
6 violates the constitutional rights of such person or persons.  
7 Nothing herein shall be construed to prevent such committee  
8 from publicly disclosing any such information in any case  
9 in which such committee determines the national interest in  
10 the disclosure of such information clearly outweighs any in-  
11 fringement on the privacy of any person or persons.

12        SEC. 8. (a) The select committee may, subject to the  
13 provisions of this section, disclose publicly any information in  
14 the possession of such committee after a determination by  
15 such committee that the public interest would be served by  
16 such disclosure. Whenever committee action is required to  
17 disclose any information under this section, the committee  
18 shall meet to vote on the matter within five days after any  
19 member of the committee requests such a vote. No member  
20 of the select committee shall disclose any information, the  
21 disclosure of which requires a committee vote, prior to a vote  
22 by the committee on the question of the disclosure of such  
23 information or after such vote except in accordance with this  
24 section.

25        (b) (1) In any case in which the select committee votes



1 to disclose publicly any information which has been classi-  
2 fied under established security procedures, which has been  
3 submitted to it by the executive branch, and which the ex-  
4 ecutive branch requests be kept secret, such committee shall  
5 notify the President of such vote.

6 (2) The select committee may disclose publicly such  
7 information after the expiration of a five-day period follow-  
8 ing the day on which notice of such vote is transmitted to the  
9 President, unless, prior to the expiration of such five-day  
10 period, the President, personally in writing, notifies the com-  
11 mittee that he objects to the disclosure of such information,  
12 provides his reasons therefor, and certifies that the threat to  
13 the national interest of the United States posed by such  
14 disclosure is of such gravity that it outweighs any public  
15 interest in the disclosure.

16 (3) If the President, personally in writing, notifies the  
17 select committee of his objections to the disclosure of such  
18 information as provided in paragraph (2), such committee  
19 may, by majority vote, refer the question of the disclosure of  
20 such information to the Senate for consideration. The com-  
21 mittee shall not publicly disclose such information without  
22 leave of the Senate.

23 (4) Whenever the select committee votes to refer the  
24 question of disclosure of any information to the Senate under  
25 paragraph (3), the chairman shall, not later than the first

1 day on which the Senate is in session following the day on  
2 which the vote occurs, report the matter to the Senate for  
3 its consideration.

4 (5) One hour after the Senate convenes on the fourth  
5 day on which the Senate is in session following the day on  
6 which any such matter is reported to the Senate, or at such  
7 earlier time as the majority leader and the minority leader  
8 of the Senate jointly agree upon in accordance with section  
9 133 (f) of the Legislative Reorganization Act of 1946, the  
10 Senate shall go into closed session and the matter shall be  
11 the pending business. In considering the matter in closed  
12 session the Senate may—

13 (A) approve the public disclosure of all or any  
14 portion of the information in question, in which case the  
15 committee shall publicly disclose the information ordered  
16 to be disclosed,

17 (B) disapprove the public disclosure of all or any  
18 portion of the information in question, in which case the  
19 committee shall not publicly disclose the information  
20 ordered not to be disclosed, or

21 (C) refer all or any portion of the matter back to  
22 the committee, in which case the committee shall make  
23 the final determination with respect to the public dis-  
24 closure of the information in question.

1 Upon conclusion of the consideration of such matter in closed  
2 session, which may not extend beyond the close of the ninth  
3 day on which the Senate is in session following the day on  
4 which such matter was reported to the Senate, or the close  
5 of the fifth day following the day agreed upon jointly by the  
6 majority and minority leaders in accordance with section  
7 133 (f) of the Legislative Reorganization Act of 1946  
8 (whichever the case may be), the Senate shall immediately  
9 vote on the disposition of such matter in open session, with-  
10 out debate, and without divulging the information with re-  
11 spect to which the vote is being taken. The Senate shall  
12 vote to dispose of such matter by one or more of the means  
13 specified in clauses (A), (B), and (C) of the second  
14 sentence of this paragraph. Any vote of the Senate to  
15 disclose any information pursuant to this paragraph shall be  
16 subject to the right of a Member of the Senate to move for  
17 reconsideration of the vote within the time and pursuant  
18 to the procedures specified in rule XIII of the Standing  
19 Rules of the Senate, and the disclosure of such information  
20 shall be made consistent with that right.

21 (c) (1) No information in the possession of the select  
22 committee relating to the lawful intelligence activities of  
23 any department or agency of the United States which has  
24 been classified under established security procedures and  
25 which the select committee, pursuant to subsection (a) or

1 (b) of this section, has determined should not be disclosed  
2 shall be made available to any person by a Member, officer,  
3 or employee of the Senate except in a closed session of the  
4 Senate or as provided in paragraph (2).

5 (2) The select committee may, under such regulations as  
6 the committee shall prescribe to protect the confidentiality of  
7 such information, make any information described in para-  
8 graph (1) available to any other committee or any other  
9 Member of the Senate. Whenever the select committee makes  
10 such information available, the committee shall keep a writ-  
11 ten record showing, in the case of any particular information,  
12 which committee or which Members of the Senate received  
13 such information. No Member of the Senate who, and no  
14 committee which, receives any information under this sub-  
15 section, shall disclose such information except in a closed  
16 session of the Senate.

17 (d) It shall be the duty of the Select Committee on  
18 Standards and Conduct to investigate any unauthorized dis-  
19 closure of intelligence information by a Member, officer or  
20 employee of the Senate in violation of subsection (c) and to  
21 report to the Senate concerning any allegation which it finds  
22 to be substantiated.

23 (e) Upon the request of any person who is subject to  
24 any such investigation, the Select Committee on Standards  
25 and Conduct shall release to such individual at the conclu-

1 sion of its investigation a summary of its investigation to-  
2 gether with its findings. If, at the conclusion of its investi-  
3 gation, the Select Committee on Standards and Conduct  
4 determines that there has been a significant breach of con-  
5 fidentiality or unauthorized disclosure by a Member, officer,  
6 or employee of the Senate, it shall report its findings to the  
7 Senate and recommend appropriate action such as censure,  
8 removal from committee membership, or expulsion from  
9 the Senate, in the case of Member, or removal from office  
10 or employment or punishment for contempt, in the case of an  
11 officer or employee.

12       SEC. 9. The select committee is authorized to permit any  
13 personal representative of the President, designated by the  
14 President to serve as a liaison to such committee, to attend  
15 any closed meeting of such committee.

16       SEC. 10. Upon expiration of the Select Committee on  
17 Governmental Operations With Respect to Intelligence Ac-  
18 tivities, established by Senate Resolution 21, Ninety-fourth  
19 Congress, all records, files, documents, and other materials  
20 in the possession, custody, or control of such committee,  
21 under appropriate conditions established by it, shall be  
22 transferred to the select committee.

23       SEC. 11. (a) It is the sense of the Senate that the head  
24 of each department and agency of the United States should  
25 keep the select committee fully and currently informed with

1 respect to intelligence activities, including any significant  
2 anticipated activities, which are the responsibility of or en-  
3 gaged in by such department or agency: *Provided*, That this  
4 does not constitute a condition precedent to the implementa-  
5 tion of any such anticipated intelligence activity.

6 (b) It is the sense of the Senate that the head of any  
7 department or agency of the United States involved in any  
8 intelligence activities should furnish any information or docu-  
9 ment in the possession, custody, or control of the department  
10 or agency, or person paid by such department or agency,  
11 whenever requested by the select committee with respect  
12 to any matter within such committee's jurisdiction.

13 (c) It is the sense of the Senate that each department  
14 and agency of the United States should report immediately  
15 upon discovery to the select committee any and all intelli-  
16 gence activities which constitute violations of the constitu-  
17 tional rights of any person, violations of law, or violations  
18 of Executive orders, Presidential directives, or departmental  
19 or agency rules or regulations; each department and agency  
20 should further report to such committee what actions have  
21 been taken or are expected to be taken by the departments  
22 or agencies with respect to such violations.

23 SEC. 12. Subject to the Standing Rules of the Senate,  
24 no funds shall be appropriated for any fiscal year beginning  
25 after September 30, 1976, with the exception of a continuing

1 bill or resolution, or amendment thereto, or conference re-  
2 port thereon, to, or for use of, any department or agency of  
3 the United States to carry out any of the following activi-  
4 ties, unless such funds shall have been previously authorized  
5 by a bill or joint resolution passed by the Senate during the  
6 same or preceding fiscal year to carry out such activity for  
7 such fiscal year:

8 (1) The activities of the Central Intelligence Agency  
9 and the Director of Central Intelligence.

10 (2) The activities of the Defense Intelligence Agency.

11 (3) The activities of the National Security Agency.

12 (4) The intelligence activities of other agencies and  
13 subdivisions of the Department of Defense.

14 (5) The intelligence activities of the Department of  
15 State.

16 (6) The intelligence activities of the Federal Bureau of  
17 Investigation, including all activities of the Intelligence  
18 Division.

19 SEC. 13. (a) The select committee shall make a study  
20 with respect to the following matters, taking into considera-  
21 tion with respect to each such matter, all relevant aspects  
22 of the effectiveness of planning, gathering, use, security, and  
23 dissemination of intelligence:

24 (1) the quality of the analytical capabilities of  
25 United States foreign intelligence agencies and means for

1 integrating more closely analytical intelligence and  
2 policy formulation;

3 (2) the extent and nature of the authority of the  
4 departments and agencies of the executive branch to  
5 engage in intelligence activities and the desirability of  
6 developing charters for each intelligence agency or  
7 department;

8 (3) the organization of intelligence activities in the  
9 executive branch to maximize the effectiveness of the  
10 conduct, oversight, and accountability of intelligence  
11 activities; to reduce duplication or overlap; and to im-  
12 prove the morale of the personnel of the foreign intelli-  
13 gence agencies;

14 (4) the conduct of covert and clandestine activities  
15 and the procedures by which Congress is informed of  
16 such activities;

17 (5) the desirability of changing any law, Senate  
18 rule or procedure, or any Executive order, rule, or regu-  
19 lation to improve the protection of intelligence secrets  
20 and provide for disclosure of information for which there  
21 is no compelling reason for secrecy;

22 (6) the desirability of establishing a standing com-  
23 mittee of the Senate on intelligence activities;

24 (7) the desirability of establishing a joint commit-  
25 tee of the Senate and the House of Representatives on



1 intelligence activities in lieu of having separate com-  
2 mittees in each House of Congress, or of establishing  
3 procedures under which separate committees on intelli-  
4 gence activities of the two Houses of Congress would  
5 receive joint briefings from the intelligence agencies and  
6 coordinate their policies with respect to the safeguarding  
7 of sensitive intelligence information;

8 (8) the authorization of funds for the intelligence  
9 activities of the Government and whether disclosure of  
10 any of the amounts of such funds is in the public interest;  
11 and

12 (9) the development of a uniform set of definitions  
13 for terms to be used in policies or guidelines which may  
14 be adopted by the executive or legislative branches to  
15 govern, clarify, and strengthen the operation of intel-  
16 ligence activities.

17 (b) The select committee may, in its discretion, omit  
18 from the special study required by this section any matter  
19 it determines has been adequately studied by the Select Com-  
20 mittee To Study Governmental Operations With Respect to  
21 Intelligence Activities, established by Senate Resolution 21,  
22 Ninety-fourth Congress.

23 (c) The select committee shall report the results of the  
24 study provided for by this section to the Senate, together  
25 with any recommendations for legislative or other actions it

1 deems appropriate, no later than July 1, 1977, and from  
2 time to time thereafter as it deems appropriate.

3       SEC. 14. (a) As used in this resolution, the term "intel-  
4 ligence activities" includes (1) the collection, analysis, pro-  
5 duction, dissemination, or use of information which relates to  
6 any foreign country, or any government, political group,  
7 party, military force, movement, or other association in such  
8 foreign country, and which relates to the defense, foreign  
9 policy, national security, or related policies of the United  
10 States, and other activity which is in support of such activi-  
11 ties; (2) activities taken to counter similar activities directed  
12 against the United States; (3) covert or clandestine activi-  
13 ties affecting the relations of the United States with any  
14 foreign government, political group, party, military force,  
15 movement or other association; (4) the collection, analysis,  
16 production, dissemination, or use of information about activi-  
17 ties of persons within the United States, its territories and  
18 possessions, or nationals of the United States abroad whose  
19 political and related activities pose, or may be considered  
20 by any department, agency, bureau, office, division, instru-  
21 mentality, or employee of the United States to pose, a threat  
22 to the internal security of the United States, and covert or  
23 clandestine activities directed against such persons. Such  
24 term does not include tactical foreign military intelligence  
25 serving no national policymaking function.

1 (b) As used in this resolution, the term "department  
2 or agency" includes any organization, committee, council,  
3 establishment, or office within the Federal Government.

4 (c) For purposes of this resolution, reference to any  
5 department, agency, bureau, or subdivision shall include a  
6 reference to any successor department, agency, bureau, or  
7 subdivision to the extent that such successor engages in  
8 intelligence activities now conducted by the department,  
9 agency, bureau, or subdivision referred to in this resolution.

10 SEC. 15. For the period from the date this resolution  
11 is agreed to through February 28, 1977, the expenses of  
12 the select committee under this resolution shall not exceed  
13 \$275,000, of which amount not to exceed \$30,000 shall  
14 be available for the procurement of the services of individual  
15 consultants, or organizations thereof, as authorized by sec-  
16 tion 202 (i) of the Legislative Reorganization Act of 1946.  
17 expenses of the select committee under this resolution shall  
18 be paid from the contingent fund of the Senate upon  
19 vouchers approved by the chairman of the select committee,  
20 except that vouchers shall not be required for the disburse-  
21 ment of salaries of employees paid at an annual rate.

23

1        SEC. 16. Nothing in this resolution shall be construed  
2 as constituting acquiescence by the Senate in any practice,  
3 or in the conduct of any activity, not otherwise authorized  
4 by law.

Attest:

FRANCIS R. VALEO,

*Secretary.*





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INTELLIGENCE COMMUNITY STAFF

8 October 1976

Staff Directive No. 8

INTELLIGENCE COMMUNITY STAFF  
ORGANIZATION AND MANAGEMENT

The organization of the Intelligence Community Staff has been reviewed and approved by the Director of Central Intelligence. Key positions and staff assignments have been made.

Effective this date, the organizational structure of the Staff will be as shown in Attachment 1. The Staff will be managed according to the approved mission and function statements outlined in Attachment 2.



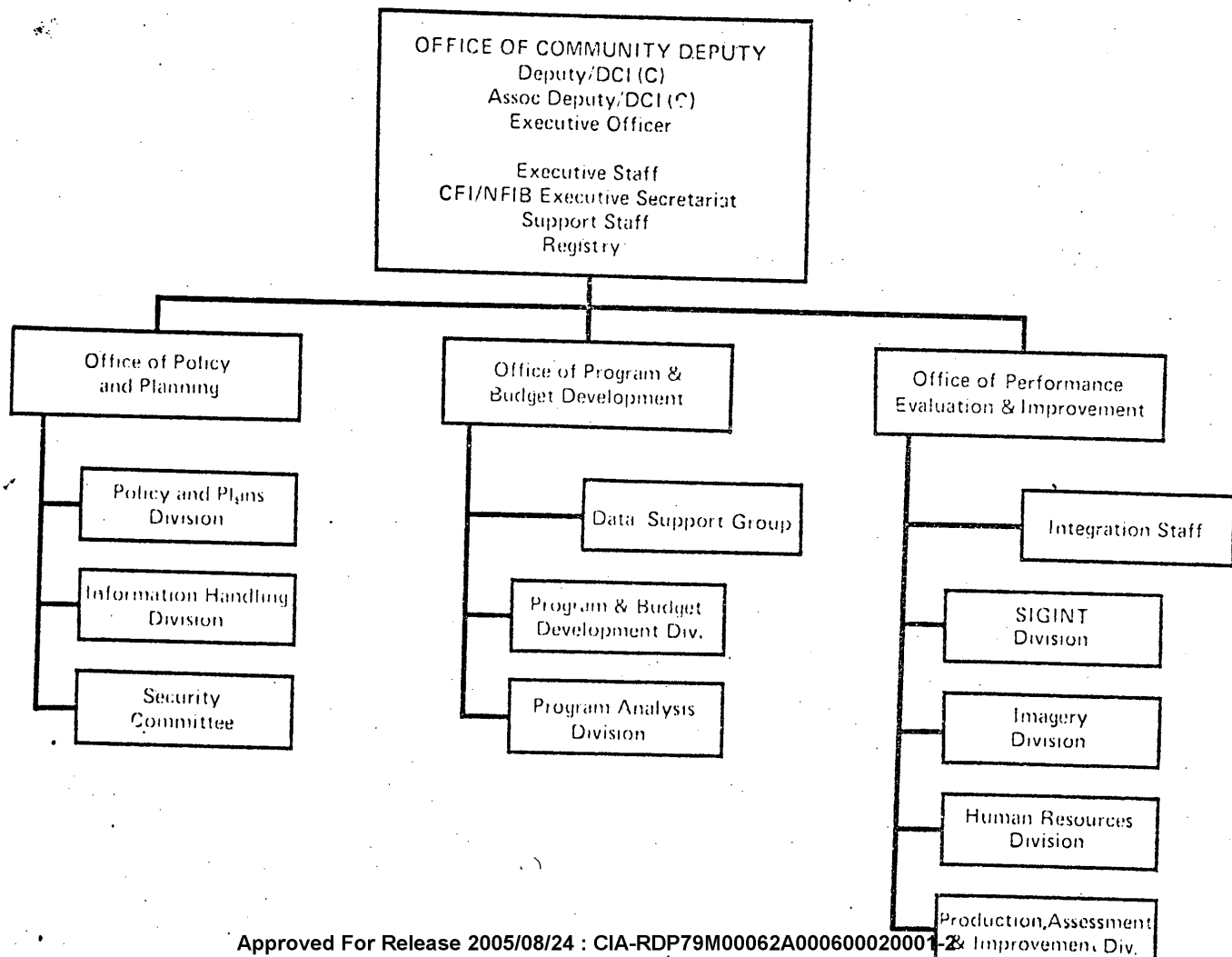
Deputy to the DCI for the  
Intelligence Community

STATINTL

Attachments:  
as stated

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### Organization of Intelligence Community Staff



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Attachment 1



Attachment 2

INTELLIGENCE COMMUNITY STAFF  
MANAGEMENT

Summary of Main Functions.....1  
Office of the Community Deputy.....3  
Office of Policy and Planning.....7  
Office of Program and Budget Development.....15  
Office of Performance, Evaluation & Improvement.18

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INTELLIGENCE COMMUNITY STAFF

Supports the Director of Central Intelligence (DCI) and the Committee on Foreign Intelligence (CFI) in developing and controlling the National Foreign Intelligence Program (NFIP). Assists the DCI in the supervision and direction of the Intelligence Community. The Intelligence Community Staff consists of the Office of Policy and Planning, the Office of Performance Evaluation and Improvement, and the Office of Program and Budget Development.

Main Function

- A. National Foreign Intelligence Program
  - Assist the DCI and CFI in the control of NFIP budget preparation and resource allocation.
  - Perform as the CFI Staff during the annual program review and budget cycle for the component programs of the NFIP.
  - Prepare Intelligence Community Staff recommendations on NFIP program and budget issues requiring CFI decisions.
  - Ensure Intelligence Community compliance with NSC policy directives.
  - Prepare supporting materials for DCI and CFI use at NSC semi-annual reviews.
- B. Collection and Production
  - Assist the CFI in establishment of policy priorities for national intelligence collection and production.
  - Develop requirements systems for, and assess performance of, national intelligence collection and production.
  - Provide staff support for collection committees of the National Foreign Intelligence Board.

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C. Internal Relations

- Determine the adequacy of the Intelligence Community's services of common concern and identify areas requiring policy decisions.
- Ensure appropriate Community-wide availability and use of information handling and communications systems.
- Establish security policies and procedures for protection of intelligence and intelligence sources, methods and analytical procedures.

D. External Relations

- Provide guidance to the CFI on national/tactical intelligence relationship.
- Serve as interface with appropriate elements of the Executive Branch and the Congress on programs and resources; assist the DCI in Congressional and other presentations of programs and budgets.
- Ensure proper responsiveness of Intelligence Community collectors and producers to needs of intelligence users.

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OFFICE OF THE COMMUNITY DEPUTY

The Office of Community Deputy (OCD) supports the Deputy to the Director of Central Intelligence for the Intelligence Community (D/DCI/IC) in execution of his responsibilities to advise and assist the Director of Central Intelligence in supervision and direction of the Intelligence Community, and in directing the activities of the Intelligence Community Staff (ICS). The OCD consists of the D/DCI/IC and his personal staff, the Associate Deputy to the DCI for the Intelligence Community (AD/DCI/IC), the Executive Officer, the Executive Staff, the Committee on Foreign Intelligence/ National Foreign Intelligence Board Secretariat, and the Support Staff.

Main Functions

Deputy for the Community--

- Advise the DCI on Intelligence Community matters.
- Make recommendations on National Foreign Intelligence Program (NFIP) programs, resources and issues to the CFI and maintain data pertaining to the NFIP.
- Evaluate programs and products of the NFIP.
- Coordinate within the Intelligence Community the implementation of intelligence policy and program directives emanating from the President, NSC, CFI, Intelligence Oversight Board and the DCI.

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- Represent the Director of Central Intelligence at meetings of the Committee on Foreign Intelligence (CFI).
- Be Vice Chairman of the National Foreign Intelligence Board (NFIB).
- Be head of and direct the Intelligence Community Staff.
- Supervise the activities and provide staff support for DCI Committees as designated by the DCI (currently the COMIREX, Human Resources, Information Handling, Security and SIGINT Committees), and oversee the activities of all other DCI Committees except the DCI Committee of Inspectors General.
- Perform such other duties pertaining to the Intelligence Community as may be directed by the DCI.

#### Associate Deputy for the Community

- Assist the Deputy for the Community in the direction and management of the Intelligence Community Staff and NFIB elements.
- Represent the Deputy for the Community in his absence.
- Perform such other duties pertaining to the Intelligence Community as may be prescribed.

#### Executive Officer

- Support the Deputy for the Community and associate Deputy in the management of the Intelligence Community Staff and NFIB elements.
- Review action documents addressed to the Office of the Community Deputy, assign initial action to Office, Staff, or NFIB elements, establish deadlines for completion, and ensure timely response.

Executive Staff--

- Develop studies and chair inter-agency task groups to address problems as assigned by the DCI and D/DCI/IC.
- Provide legislative liaison with the Congress for the DCI and D/DCI/IC on Intelligence Community matters; prepare Community responses to inquiries and tasking from Congressional Committees.
- Draft revisions of National Security Council Intelligence Directives (NSCIDs) for the NSC Committee on Foreign Intelligence.
- Monitor revisions of Director of Central Intelligence Directives (DCIDs).
- Prepare presentations and support the DCI in his appearances before the President's Foreign Intelligence Advisory Board.
- Accomplish tasks assigned by the Deputy for the Community in support of staff missions including personal representations when appropriate, and provide direct support to the coordination of Intelligence Community issues.

CFI/NFIB Secretariat--

- Provide secretariat service to the Chairman, Vice Chairman and members of the CFI and NFIB through the Deputy for the Community.
- Prepare and disseminate agenda and basic reference documents and secretariat papers.
- Monitor the development of CFI and NFIB procedures under established directives.

### Support Staff

- Provide administrative and management support for the IC Staff and NFIB elements.
- Plan, prepare, coordinate, and implement policy and programs for the staff in such areas as: personnel, budget, logistics, security, training, and other administrative matters.
- Serve as liaison contact on all administrative matters with counterparts in the various agencies which compose the Intelligence Community.
- Serve as point of contact with the functional offices of the Directorate of Administration/ CIA for the accomplishment of administrative and financial services rendered to the IC Staff.

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OFFICE OF POLICY AND PLANNING (OPP)

Mission

Provides primary support to the DCI, through the Deputy to the DCI for the Intelligence Community (D/DCI/IC), on all matters relating to planning for the Intelligence Community. Develops systems to provide planning guidance to intelligence program managers and makes recommendations on policy issues affecting the Community. Coordinates efforts on the IC Staff to articulate DCI policy through the Annual Report of the DCI on the Intelligence Community. OPP provides support to the DCI and the D/DCI/IC on intelligence information handling and on security matters through the Information Handling Division, and the DCI Security and Intelligence Information Handling Committees. OPP provides the secretariat of the Intelligence Research and Development Council (IR&DC) of the NSC Committee on Foreign Intelligence (CFI), and serves as the primary IC Staff agency on matters pertaining to international negotiations affecting intelligence programs. The office consists of a Policy and Plans Division, an Information Handling Division, the permanent staff of the Security Committee, and the IR&DC Secretariat.

Functions

- To coordinate the development of long-range estimates of substantive and managerial needs of the Intelligence Community.
- To coordinate the development of annual planning guidance to intelligence program managers, including mid-range perspectives and National Foreign Intelligence Requirements and Priorities for Planning and Programming.
- To coordinate the development of short-range (one year) guidance for the DCI to the Intelligence Community, including the identification of National Intelligence Goals and Objectives and the Key Intelligence Questions.

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- To identify those major policy and planning issues which require DCI and/or CFI decision; to develop the necessary background information and recommendations and alternatives.
- To coordinate Community efforts to achieve optimum total benefit from the exploitation of national and tactical intelligence assets.
- To coordinate IC Staff efforts to produce the Annual Report to the DCI on the Intelligence Community.
- To monitor the development of the NFIP and to advise the DCI and CFI regarding the policy implications of its composition.
- To coordinate Intelligence Community efforts to develop security policies and procedures for the protection of intelligence sources and methods from unauthorized disclosure.
- To monitor the performance and adequacy of the Intelligence Community's services of common concern and identify areas requiring policy guidance and decisions.
- To investigate and coordinate relationships among the varied Community information handling and communications systems and explore common solutions to mutual problems.
- To furnish administrative support to the CFI Intelligence Research and Development Council.
- To coordinate IC Staff efforts to provide support to international negotiations related to intelligence programs.

POLICY AND PLANNING DIVISION (OPP/PPD)

Mission

Provides primary support to the DCI, through the Deputy to the DCI for the Intelligence Community (D/DCI/IC), on all matters relating to planning for the Intelligence Community. Develops systems to provide planning guidance to intelligence program managers and makes recommendations on policy issues affecting the Community. Coordinates efforts on the IC Staff to articulate DCI policy through the Annual Report of the DCI on the Intelligence Community, and serves as the primary IC Staff agency on matters pertaining to international negotiations affecting intelligence programs.

Functions

- To coordinate the development of long-range estimates of substantive and managerial needs of the Intelligence Community.
- To coordinate the development of annual planning guidance to intelligence program managers, including mid-range Perspectives and National Foreign Intelligence Requirements and Priorities for Planning and Programming.
- To coordinate the development of short-range (one year) guidance for the DCI to the Intelligence Community, including the identification of National Intelligence Goals and Objectives and the Key Intelligence Questions.
- To identify those major policy and planning issues which require DCI and/or CFI decision; to develop the necessary background information and recommendations and alternatives.
- To coordinate Community efforts to achieve optimum total benefit from the exploitation of national and tactical intelligence assets.
- To coordinate IC Staff efforts to produce the Annual Report of the DCI on the Intelligence Community.

- To monitor the performance and adequacy of the Intelligence Community's services of common concern and identify areas requiring policy guidance and decisions.
- To coordinate IC Staff efforts to provide support to international negotiations related to intelligence programs.
- To monitor the development of the NFIP and to advise the DCI and CFI regarding the policy implications of its composition.

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INFORMATION HANDLING DIVISION

Mission

The Information Handling Division (IHD) maintains the capability to investigate the relationships between varied information handling systems and explore common solutions to mutual problems. The IHD responds to information handling problems involving computer and telecommunications applications. The IHD disseminates information and provides guidance on the use of automated means for rapid production and dissemination of intelligence products. The IHD attempts to ensure that all applicable technology is considered for use in the production of national intelligence. The Division Chief serves as Chairman of the DCI Intelligence Information Handling Committee, and the Division provides staff support to the Committee.

Functions

- Monitor and evaluate performance of data management systems, data processing, telecommunication and computer technology.
- Monitor the development of procedures and equipment to support the DCI's role in reporting on crisis situations.
- Provide a Community forum for consideration of R&D activities that may assist the production and dissemination of intelligence products.
- Promote increased Community-wide compatibility in planning and operation of computer and telecommunication systems and networks.
- Promote Community-wide standardization of data, files and microforms.
- Promote advice to the Community on computer and telecommunications matters.

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- Review and substantively comment on the dissemination sections of the National Imaging Plans (NIPS).
- Provide the Chairman and the staff support for the DCI Intelligence Information Handling Committee.
- Provide advice and support to other IC Staff components on IC Staff computer and communications planning.

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## SECURITY COMMITTEE

### Mission

The mission of the Security Committee is to establish security policies and procedures by which the Director of Central Intelligence can protect intelligence and intelligence sources and methods from unauthorized disclosure.

### Functions

The functions of the Security Committee are:

- To advise and assist the DCI as appropriate in the development and review of security policies, standards, procedures and practices for the protection of intelligence and intelligence sources and methods from unauthorized disclosures.
- To review, formulate and recommend to the DCI personnel, physical and document security policies, standards and practices and dissemination procedures applicable to all government departments and agencies as they relate to the protection of intelligence sources and methods.
- To review, formulate and recommend to the DCI policies, standards and procedures for the dissemination of intelligence materials, for the release of such materials to foreign governments, and for the review of classified intelligence proposed for use in unclassified activities.
- On behalf of the DCI, to call upon departments and agencies to investigate any unauthorized disclosure or compromise of intelligence or of intelligence sources and methods occurring within their departments and agencies; to report the results of these investigations to the DCI.
- To develop, review and use effective means to defend sensitive US installations and personnel against technical surveillance. (This is accomplished through the Technical Surveillance Countermeasures Subcommittee.)

ADMINISTRATIVE INTERNAL USE ONLY

- To develop and recommend to the DCI technical guidance for the establishment, maintenance and improvement of coordinated compartmentation systems. (This is accomplished through the Compartmentation Subcommittee.)
- To review, formulate and recommend to the DCI policies, standards and procedures to protect intelligence data stored or processed by computers. (This is accomplished through the Computer Security Subcommittee.)
- To foster an aggressive and imaginative program of research and development leading to improved security equipment and techniques. (This is accomplished through the Research and Development Subcommittee.)

ADMINISTRATIVE INTERNAL USE ONLY

OFFICE OF PROGRAM AND BUDGET DEVELOPMENT

Provides primary support to the D/DCI/IC, the DCI and the Committee on Foreign Intelligence (CFI), for controlling and coordinating the development of the National Foreign Intelligence Program (NFIP). Develops the consolidated budget to be submitted to the President through OMB. Monitors Community program and budget execution, including major reprogramming activity. Develops issue papers and recommendations for CFI. Provides on-going evaluation and quantification of NFIP performance in terms of resource allocation, application and capability, in relation to present and future national intelligence information needs. OPBD consists of a Data Support Group, a Program and Budget Division and a Program Analysis Division.

Main Functions:

- Develop and produce NFIP resource guidance for promulgation by the Chairman, CFI.
- Control Community-wide development of the NFIP component programs and budget, objectives and resource requirements.
- Perform CFI staff interface with appropriate elements of the Intelligence Community, the Executive Branch, and the Congress on matters of intelligence program and resource management.
- Identify and analyze resource issues within the NFIP; prepare issue or other appropriate staff papers to support the resource decision-making mechanisms.
- Prepare NFIP program recommendations and the consolidated budget; identify NFIP program and budget issues, including resource requirements, and alternatives.
- Assist the DCI in his presentation of Community programs and budgets to the President and the Congress.



DATA SUPPORT GROUP (DSG)

Provides data and data processing support to all elements of the Intelligence Community Staff (ICS) relating to national intelligence programs, budget, and resource management. Develops, maintains, and operates the Community's central management information system.

Main Functions

- Maintain the ICS data base to include information on the FYDP, KIQA/KEP, CIRIS, DCID 1/2, selected aspects of the national-tactical interface, and data files/registers of the R&D Council.
- Serve as the ICS focal point for ADP support, including software development.
- Provide continuous direct support to the CFI programming and budgeting cycle, and related evaluation activity.
- Initiate and participate in the development of a Community-wide Management Information System based on CIRIS.
- Issue data calls, including data formats and information input instructions; validate inputs; and participate in the development of analytic methodologies employing automated data bases.

PROGRAM AND BUDGET DIVISION (PBD)

Assures Community-coordinated development of a comprehensive, cost-efficient NFIP, annually. Coordinates and monitors, CFI programming and budgeting cycle. Formulates guidance, procedures and CFI directives pertaining to the NFIP development process and its substance.

Main Functions

- Develop NFIP program and fiscal guidance for promulgation by the Chairman, CFI.
- Monitor NFIP program and budget development and assist in DCI and CFI formal reviews during the programming and budgeting cycle.

- Identify major resources issues for DCI and CFI deliberation--produce appropriate background and position papers with recommendations and/or alternatives.
- Provide the Community forum for assessment and, resolution of resource management problems and issues.
- Ensure appropriate coordination with elements of the Intelligence Community, the Executive Branch, and the Congress.
- Produce a finished program/budget package (NFIP) for DCI and CFI approval.

PROGRAM ANALYSIS DIVISION (PAD)

Analyzes and assesses NFIP programs and their output in relation to cost and national intelligence need. Determines value relationships and shortfalls--by individual program and across programs with particular focus on resource requirements, allocations, applications, and effectiveness.

Main Functions

- Support the program and budget monitoring activities of the PBD with review and analysis of NFIP issues and problems.
- Provide the focal point for evaluation of the use of intelligence resources in relation to CFI-stated objectives and priorities.
- Initiate and serve as the focal point for the identification of program trade-off issues in support of CFI decisions.
- Produce trend analyses (mid/long term) of the NFIP intelligence resource capabilities, requirements, and functional productivity.

OFFICE OF PERFORMANCE EVALUATION AND IMPROVEMENT

MISSION

The Office of Performance Evaluation and Improvement (OPEI) supports the DCI, the CFI, and the D/DCI/IC in evaluating and improving the performance of collection and production activities, systems, and programs of the national foreign intelligence community. In coordination with the Office of Program and Budget Development and the Office of Policy and Planning, OPEI provides necessary personnel and expertise to staff the CFI principals and the Chairman and Vice Chairman of NFIB.

FUNCTIONS:

- Analyze and assess the performance of the Intelligence Community in collection and production and make recommendations for the improvement of both.
- Review, evaluate, and improve mechanisms and procedures by which national foreign intelligence is collected and produced.
- Chair and provide staff support for the DCI's three collection committees: the SIGINT Committee, the Committee on Imagery Requirements and Exploitation, and the Human Resources Committee.
- Develop, implement, and maintain requirements systems for the collection of national foreign intelligence.
- Review, evaluate, and improve the mechanisms by which collection requirements are established, prioritized, and tasked.
- Assess the responsiveness of intelligence collection and production activities to consumer needs.
- Monitor, assess, and recommend improvements in Intelligence Community activities in the area of warning intelligence and crisis support.

- Provide systems analysis expertise to develop and staff issue papers for the CFI and the NFIB.
- Coordinate and maintain liaison with such individuals, organizations, departments and agencies within and outside the Intelligence Community as appropriate to fulfill OPEI responsibilities.

ORGANIZATION:

In order to carry out its responsibilities, the Office of Performance Evaluation and Improvement staffs and maintains four divisions: SIGINT Division; Imagery Division; Human Resources Division; and Production Assessment and Improvement Division. In addition, OPEI maintains an Integration Staff as a separate element of the office to address issues which encompass the missions and functions of more than one of the divisions.

INTEGRATION STAFF

MISSION

The Integration Staff is responsible for studies and evaluations of Intelligence Community activities and programs which require coordination and integration of efforts involving specific cross-source considerations and/or tradeoffs between collection and production.

FUNCTIONS

- Develop, analyze, and evaluate plans for cross-source and collection/production activities.
- Initiate and conduct analytical studies and assessments of the utility and value of intelligence collection and production activities which cut across lines of Division responsibility.
- Serve as interface on Intelligence Community activities of a cross-source and/or collection/production nature which directly affect DCI and/or CFI actions and decisions; recommend augmentation or redirection as necessary and develop appropriate Terms of Reference.
- Serve as the focus for evaluations of collection, processing, and analytic systems and programs, advanced technology and R&D outside the focus of responsibility of the Divisions.

ORGANIZATION

The Integration Staff is a small staff of professionals whose activities are conducted with ad hoc support from the four Divisions of the Office. Its Chief also serves as the Office's Deputy Director.

HUMAN RESOURCES DIVISION

MISSION

The Human Resources Division provides primary support for the assessment and improvement of the performance of human resources activities. It assists other foreign information gathering and reporting activities of the Government to improve the national foreign information and intelligence effort. The Chief of the Human Resources Division serves as the principal staff advisor to the D/DCI/IC for all human resources matters. He also serves as Chairman of the DCI's Human Resources Committee and in this role reports and is directly responsible to the DCI in coordination with the D/DCI/IC. The Deputy of the Human Resources Division serves as Vice Chairman of the Human Resources Committee.

FUNCTIONS

- Monitor, evaluate, and improve human resources foreign intelligence collection and production activities within the Intelligence Community.
- Evaluate performance and related support for the development and improvement of human resources information gathering and reporting activities of other Government departments and agencies for national needs.
- Provide staff support to the Chairman of the DCI's Human Resources Committee.
- Review, evaluate, and improve the means by which the information needs of intelligence consumers and producers are defined, prioritized, and tasked to collectors.
- Develop or assist in the development of Government plans for foreign information collection and reporting by human resources including training and research and development support.
- Coordinate human resources activities and programs of the Intelligence Community with related activities of other Government departments and agencies.

ORGANIZATION

The Human Resources Division is organizationally divided as follows: staff/secretariat support to the Human Resources Committee and direct management support to the Community in human resources activities.

IMAGERY DIVISION

MISSION

The Imagery Division provides primary support for the assessment and improvement of the performance of national foreign intelligence imagery activities, projects, and systems. The Chief of the Imagery Division serves as the principal staff advisor to the D/DCI/IC for all imagery matters. He also serves as Chairman of the DCI's Committee on Imagery Requirements and Exploitation (COMIREX), and in this role reports and is directly responsible to the DCI in coordination with the D/DCI/IC. The Deputy Chief of the Division serves as the Vice Chairman of COMIREX.

FUNCTIONS

- Analyze and assess the performance of national-level imagery activities, projects, and systems.
- Review, evaluate, and improve the mechanisms by which imagery collection and exploitation requirements are established, prioritized, and tasked.
- Provide staff support to the Chairman of the DCI's Committee on Imagery Requirements and Exploitation (COMIREX).
- Develop, implement, and maintain requirements systems for imagery collection and exploitation.
- Assess the responsiveness of imagery activities, projects, and systems to consumer needs.
- Support, through the Office of Program and Budget Development and the Office of Policy and Planning, DCI and CFI activities relating to and affecting the imagery program.

ORGANIZATION

The Imagery Division consists of an Imagery Assessment Branch and five COMIREX Staff Support Units: an Executive Secretariat, an Imagery Collection Requirements Subcommittee (ICRS), an Exploitation Requirements Subcommittee (EXSUBCOM), an ADP Coordinating Unit, and a Special Support Unit.

ADMINISTRATIVE INTERNAL USE ONLY

SIGINT DIVISION

MISSION

The SIGINT Division provides primary support for the assessment and improvement of the performance of national foreign intelligence SIGINT activities, projects, and systems. The Chief of the SIGINT Division serves as the principal staff advisor to the D/DCI/IC for all SIGINT matters. He also serves as Chairman of the DCI's SIGINT Committee and in this role reports and is directly responsible to the DCI in coordination with the D/DCI/IC. The Deputy of the SIGINT Division serves as the Vice Chairman of the SIGINT Committee.

FUNCTIONS

- Analyze and assess the performance and make recommendations for the improvement of Intelligence Community SIGINT activities, projects, and systems.
- Review, evaluate, and improve the mechanisms by which SIGINT collection requirements are established, prioritized, and tasked.
- Provide staff support to the Chairman of the DCI's SIGINT Committee.
- Develop, implement, and maintain requirements systems for SIGINT collection.
- Assess the responsiveness of SIGINT activities, projects, and systems to consumer needs.
- Support, through the Office of Program and Budget Development and the Office of Policy and Planning, DCI and CFI activities relating to or affecting the SIGINT program.

ORGANIZATION

The SIGINT Division consists of a SIGINT Assessment Branch and three SIGINT Committee Staff Support Units: an Executive Secretariat, a SIGINT Requirements Validation and Evaluation Subcommittee (SIRVES), and SIGINT Overhead Reconnaissance Subcommittee (SORS).

ADMINISTRATIVE INTERNAL USE ONLY



PRODUCTION ASSESSMENT AND IMPROVEMENT DIVISION

MISSION

The Production Assessment and Improvement Division provides support for the assessment and improvement of national foreign intelligence production in the context of the needs of the producers and consumers of intelligence. It also supports the work of the Intelligence Community Staff related to intelligence warning and crisis procedures.

FUNCTIONS

- Initiate, direct, and/or conduct ad hoc assessments, reviews, and post mortem studies of Intelligence Community performance.
- Review and evaluate the quality, timeliness, usefulness, and adequacy of national foreign intelligence products.
- Monitor and assess the activities of the Intelligence Community in the area of warning intelligence and crisis support; develop, propose, and help to implement means to improve performance in this area.
- Develop, propose, encourage, and help to implement means to improve intelligence production including the use of new analytical methodologies and new means of product presentation.
- Develop and maintain data and procedures for evaluating substantive intelligence performance.
- Support the DCI, NFIB, and the CFI in evaluating consumer-producer relationships.
- Maintain liaison with appropriate individuals and committees concerned with collection and production, with intelligence consumers inside and outside the Intelligence Community, and with appropriate contractors.

ORGANIZATION

The Production Assessment and Improvement Division consists of two branches: a Performance Evaluation Branch and a Crisis Intelligence and Product Improvement Branch.



22 JUL 1976

MEMORANDUM FOR: Deputy Director of Central Intelligence  
Deputy to the DCI for the Intelligence Community

FROM : George Bush  
Director

SUBJECT : Delegation of Authority for the Performance of Your  
Duties

1. By this memorandum I am delegating authority to the Deputy Director of Central Intelligence and to the Deputy to the Director of Central Intelligence for the Intelligence Community, pursuant to paragraphs (2) and (3) of section 3(d) of Executive Order 11905 which is necessary for the performance of the duties of those positions. To the extent that any existing delegations may be inconsistent with this memorandum, they are hereby superseded.

2. Authority as Acting Director

Section 102(a) of the National Security Act established the CIA with a "Director of Central Intelligence who shall be the head thereof." The Act also established the position of "Deputy Director of Central Intelligence" and provides that the DDCI shall "act for, and exercise the powers of, the Director during his absence or disability." This memorandum cannot and does not intend any negation of or exceptions to those statutory provisions. Therefore in my "absence or disability" the Deputy Director of Central Intelligence "shall act for, and exercise the powers of, the Director."

3. Delegation to the Deputy Director of Central Intelligence

There is hereby delegated to the DDCI:

a. all authorities vested in the Director of Central Intelligence by statute, law and regulation as head of the Central Intelligence Agency, including the authority to certify the expenditure of funds as provided by section 8 of the Central Intelligence Agency Act, as amended, consistent with the decision of the Comptroller General addressed to my predecessor on 2 January 1962 (41 Comp. Gen. 429); and

b. those authorities vested by E.O. 11905 in:

(1) the Director of Central Intelligence which pertain to the Central Intelligence Agency; and

(2) the Central Intelligence Agency.

4. Delegation to the Deputy to the Director for the Intelligence Community (hereinafter Deputy for the Community)

There is hereby delegated to the Deputy for the Community:

a. all authorities vested in the Director of Central Intelligence by the National Security Act, except those delegated by paragraph 3.a. of this memorandum;

b. all authorities vested in the Director of Central Intelligence by Executive Order 11905, except those delegated by paragraph 3.b. of this memorandum; and

c. to the extent that information, advice, and recommendations concerning the Intelligence Community or the overall national intelligence effort may be due the President's Foreign Intelligence Advisory Board, the authority to take the actions required of the Director of Central Intelligence by Executive Order 11460.

5. In order to assist me in the performance of my responsibilities, you are authorized and directed to perform the following duties under my supervision and guidance:

a. Deputy Director of Central Intelligence

(1) manage the Central Intelligence Agency;

(2) in my absence, attend meetings of the Operations Advisory Group;

(3) as the Central Intelligence Agency member, attend meetings of the National Foreign Intelligence Board (NFIB);

(4) manage the CIA Program, an element of the National Foreign Intelligence Program;

(5) supervise the production of national intelligence by CIA;

(6) perform the functions assigned to the CIA under Executive Order 11905;

(7) as prescribed by National Security Council Intelligence Directives or otherwise:

(a) plan, review and evaluate all CIA activities and allocate CIA intelligence resources among its subordinate components;

(b) provide CIA representation on Intelligence Community advisory boards and committees;

(c) assist in developing priorities for collection and production of national intelligence and for undertaking, as directed, other foreign intelligence activities, e.g., covert action;

(d) formulate policies with respect to arrangements with foreign governments on intelligence matters; and

(e) support the Deputy for the Community in the development of standards and practices relating to the protection of intelligence sources, methods and analytical procedures; and

\* (8) such other duties pertaining to the Central Intelligence Agency as may be prescribed.

b. Deputy to the Director of Central Intelligence for the Intelligence Community

(1) at my request, represent the Director of Central Intelligence at meetings of the Committee on Foreign Intelligence;

(2) be Vice-Chairman of the NFIB;

(3) be head of and direct the Intelligence Community Staff;

Revised 5 August 1976 to read: (8) Overview the Director of Central Intelligence committees, except the Inspectors General Committee, on behalf of the Director.

(4) make recommendations on NFIP programs, resources and issues to the CFI and maintain data pertaining to the NFIP;

(5) coordinate 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;

(6) evaluate programs and products of the NFIP;

(7) advise the DCI on Intelligence Community matters;

(8) supervise the activities and provide staff support for the SIGINT, COMIREX and Human Resources DCI Committees, and coordinate the activities of all other DCI Committees except the DCI Committee of Inspectors General.

(9) as prescribed by National Security Council Intelligence Directives or otherwise:

(a) ensure the development and submission of a budget for the NFIP to the CFI;

(b) assist in the development of national intelligence requirements and priorities;

(c) establish procedures to ensure the propriety of requests to the Intelligence Community;

(d) ensure the development of standards and practices to protect intelligence sources, methods and analytical procedures;

(e) establish a rigorous program to downgrade and declassify foreign intelligence information, consistent with E.O. 11652;

(f) assist the DCI in advising the President and others on Intelligence Community matters;

(g) ensure the establishment of common security standards for handling foreign intelligence and for granting access thereto;

(h) establish uniform criteria for transmission of critical intelligence;

(i) consult with users and producers of intelligence to ensure timeliness, relevancy and quality of the intelligence product; and

(10) such other duties pertaining to the Intelligence Community as may be prescribed.

6. In my absence attendance at meetings of the National Security Council and the PFIAB will be determined on the basis of the subject matter of such meetings and in consultation with me. On other matters which do not clearly pertain exclusively to the Agency or exclusively to the Community, you should consult with each other, or with me, to determine where the action lies.

*/s/ George Bush*

George Bush.

OGC 76-380:

9 July 1976

MEMORANDUM FOR: Director of Central Intelligence

FROM : Anthony A. Lapham  
General Counsel

SUBJECT : Delegation of Authority to Deputy Director of Central  
Intelligence and Deputy to the DCI for the Intelligence  
Community

ATINTL

1. I am forwarding for your consideration and recommended signature a memorandum by which you delegate authority to the two Deputy Directors, [redacted] and Mr. Knoche. A delegation to the Deputy Director of Central Intelligence is required by Executive Order 11905. While the Executive Order does not specifically direct delegation of authority to the Deputy to the DCI for the Intelligence Community, as a practical matter, and as a matter of law, a delegation is necessary if he is to discharge functions.

2. Paragraph 2 of the memorandum of delegation is not a delegation but simply records the fact that in certain circumstances the Deputy Director of Central Intelligence, by statute, is the Acting Director and is to "act for, and exercise the powers of, the Director" in his "absence or disability."

3. Paragraphs 3 and 4 delegate all of your authorities to one or the other of the two Deputies; all your Agency authorities go to the DDCI, all your Community- or Government-wide authorities go to the Deputy for the Community.

4. The fact that you delegate all your authorities of course does not mean that you divest yourself of them or of your responsibilities. It simply authorizes one or the other of your two Deputies to exercise all the powers which you have the authority to delegate.

5. Paragraph 5 is by way of specifying in non-legal terms the types of activities and function each would perform, pursuant to the delegations in paragraphs 3 and 4. Paragraph 5 does not purport to be an all-inclusive list.



In practice, I am sure that understandings will develop between you and each Deputy and between the two of them as to the areas in which each will act without consultation with you or with each other and, conversely, those areas in which they are not to act or are to act only upon consultation with you.

6. The memorandum of delegation reflects a certain fuzziness or contradiction inherent in the National Security Act and Executive Order 11905. In particular, the Act provides that in the "absence" of the Director the DDCI shall exercise the powers of the Director. The memorandum provides that the Deputy for the Community is to represent the Director at CFI meetings and one or the other, as appropriate to the subject, will attend meetings of the National Security Council and PFIAB. To some degree these provisions of the memorandum would seem to conflict with the statute. I believe, however, that the term "absence" in the National Security Act should be construed to mean those occasions when the Director is absent because he is on vacation or ill and is not available to discharge the duties of his office. In those instances when it is necessary that he be absent from a meeting of the National Security Council, PFIAB or another organization, undoubtedly the official who would be present in his stead would be whatever official the Council, PFIAB, etc. or the Director desired. Quite probably in many cases it would be in order for both Deputies to attend.

7. Recommend your signature.

[Redacted Signature Box]

STATINTL

Anthony A. Lapham

Attachment

CONCUR:

/s/ E. H. Knoche

20 JUL 1976

Deputy Director of Central Intelligence

Date

[Redacted Signature Box]

19 JUL 1976

Deputy to the DCI for the Intelligence Community

Date

ATINTL



12 August 1976

THE ORGANIZATION OF AMERICAN INTELLIGENCE

Introduction

This paper is designed to give Governor Carter an outline of our intelligence system and how it works. Virtually all of the material presented here is now in the public domain. Nevertheless, its treatment in a comprehensive and authoritative fashion makes this a sensitive document. Its dissemination should be tightly controlled.

Section I is devoted to a brief description of the intelligence process. Section II specifies the authorities under which intelligence operates. Section III describes the various intelligence agencies and their responsibilities. Section IV deals with the DCI and the central organizations through which he administers the intelligence system, including the budgetary process. Section V deals with covert action and Section VI with oversight mechanisms.

I. The Intelligence Collection and Production Process

Essentially the intelligence process can be likened to an industrial one. Raw material -- fragments of information of various types and degrees of detail and validity -- is collected and fed into a factory -- an analytic or production organization. The factory distills its raw input into a variety of products, finished intelligence, designed for the use of a variety of consumers. Intelligence managers seek to determine the needs of their consumers, to translate these into requirements for collection, to direct collection in response to these requirements, and to shape the finished intelligence product so as best to meet consumer needs. Because the universe of information is infinite and consumers are insatiable, while resources and budgets are

finite indeed, they must also establish priorities for what is to be collected and what finished intelligence is to be produced. These priorities then drive budgetary allocations, either to reallocate resources among existing organizations and systems, to create new programs and capabilities, or to eliminate unproductive ones.

A. Sources of Raw Intelligence. There are three major categories: technical, human, and overt.

1. Technical collection in turn breaks down into two major categories, signals intelligence or SIGINT and imagery, plus a miscellaneous grouping that includes such things as air sampling, and seismic and acoustic waves. SIGINT includes intercepted communications (COMINT), radar and related signals (ELINT), and telemetry (foreign instrumentation signals or FIS). Imagery is derived largely from photography, both overhead and ground, but also includes the product of radar and infra-red collectors.

2. Human source collection involves essentially the actions of human beings in eliciting information, usually through conversation with others, but often through direct observation or through the placing of sensors for technical collection. US Embassies abroad report on diplomatic exchanges and on events in the host country. US military attaches abroad are tasked to collect information overtly through contacts or liaison with the host military services, and quite often by direct observation. CIA's Directorate of Operations is responsible for clandestine foreign intelligence collection. It is also responsible for overt collection, on a voluntary and witting basis, of information acquired by US nationals on foreign developments of interest to the US Government.

3. Overt collection involves the culling from open sources -- foreign broadcasts, US and foreign press, and scholarly books and journals -- of information useful to the intelligence analyst.

B. Processing. A substantial slice of intelligence resources is devoted to processing, the synthesis of data into a form usable by the intelligence analyst. This includes photo-interpretation, cryptanalysis and decryption of intercepted enciphered communications, reduction of telemetry to meaningful numbers, and the general use of computers to store, search, select, and organize large bodies of information.

C. The Analyst. Any intelligence organization has a body of analysts, each assigned to a particular geographic or functional specialty, broad or narrow. There may, for instance, be one analyst assigned to half a dozen small African countries, or one Soviet foreign policy specialist assigned to Soviet policy toward Africa. The systems for collection, processing, and dissemination of raw intelligence are designed to bring to the individual analyst's desk all the information from all sources pertinent to his responsibilities. If he is a current analyst, his job is to read incoming information as it arrives, to evaluate it, and to distill from it a kind of running assessment of the state of affairs within his field. If he is a research analyst, his job is to define his project, to issue the necessary requirements for new collection, to review and select from existing bodies of data, to evaluate each piece of information, and to produce from the results a paper responsive to the task given him.

D. The Production Manager. Analysts are formally grouped into functional or geographic branches and divisions, but equally important is the ad hoc task grouping, whereby analysts

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in all the specialties involved in responding to a particular question are informally organized to produce contributions to the response. A question with regard to Cubans in Angola, for instance, will involve not only the Angolan analyst from the African division, but the Cuban analyst from the Latin American division, air transport and sea transport specialists from the economic division, and foreign policy analysts from the Soviet division. Someone must be placed in charge of such an effort, to coordinate the activities of the participants, to ensure that collection requirements are placed, to review for quality the contributions of participating analysts, and to combine those contributions into a coherent, concise, literate product.

E. Types of Finished Intelligence. The single characteristic of finished intelligence is that it has been evaluated and, if necessary, correlated with other information. It is possible for a raw report to be totally valid and need neither comment nor additional context. In this case the act of the analyst in determining that it stands by itself converts it from raw to finished intelligence. Thus finished intelligence can range from the phone call from an operations center alerting the senior officer to an event, to the most elaborate research products scheduled over a period of years. Current intelligence can start with the phone call mentioned above and stretches through a variety of daily and weekly reporting mechanisms to the memorandum in response to a policymaker's question: how many Cubans are there in Southern Africa today? What is Syrian policy in Lebanon? Estimative intelligence projects forward; it deals with the unknown (but knowable) and with the unknowable: what are the present Soviet capabilities for war against China? What is the likely outcome of an Arab-Israeli war in 1985? Intelligence research comprises an outpouring of monographs that underpin both current and estimative work: what are the characteristics of the SS-X-20 IRBM system? Where are the Arabs investing their oil profits? A subcategory of intelligence

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research output is basic intelligence, primarily the structured compilation of geographic, demographic, social, and political data on countries abroad; this grouping includes a wide variety of maps and factual handbooks as well.

## II. Authorities

A. The basic authority for US intelligence is the National Security Act of 1947. It was intended primarily to create the National Security Council and Department of Defense, and to separate the Air Force from the Army. With the lessons of Pearl Harbor in mind, however, Congress also created under the NSC the Central Intelligence Agency, under a Director of Central Intelligence, and charged it:

"(1) to advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

"(2) to make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

"(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities: Provided, That the Agency shall have no police, subpoena, law-enforcement powers, or internal-security functions: Provided further, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: And provided further, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;

"(4) to perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

"(5) to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct."

These provisions have stood essentially without amendment since 1947, but the Senate Select Committee chaired by Senator Inouye is now to review them.

B. The CIA Act of 1949 provided for a statutory Deputy Director of Central Intelligence. It also vested in the DCI a number of operating authorities essential to the conduct of secret intelligence activities, including a secret budget.

C. Executive Order 11905, issued by President Ford in February 1976, for the first time spelled out in some detail the responsibilities of the DCI deriving from the Act of 1947 and provided him, under the President, with the executive authorities necessary to carry out these responsibilities. (See Section IV below.) It defines the functions and responsibilities of the various intelligence agencies (Section III). It establishes certain control mechanisms (Sections V and VI). Finally, it sets forth guidelines for the conduct of intelligence operations within Constitutional limits.

D. National Security Council Intelligence Directives (NSCID's) supplement E.O. 11905 with further definitions of the relationships among and responsibilities of the intelligence agencies. Some of these are classified.

E. Director of Central Intelligence Directives (DCID's) are issued by the DCI to implement certain NSCID's or to carry out responsibilities assigned directly to him by E.O. 11905.

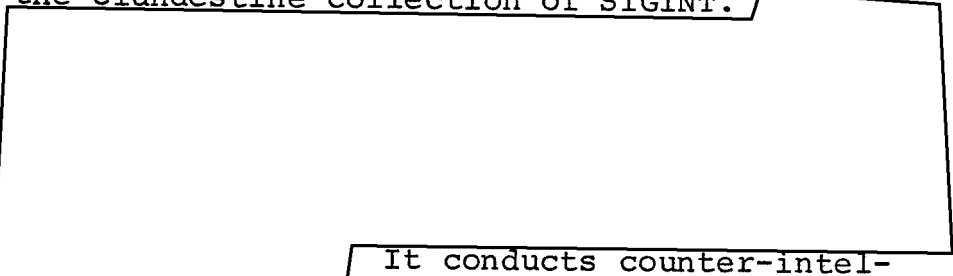


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III. Intelligence Organizations and Responsibilities

A. The Central Intelligence Agency. CIA has broader responsibilities than any other agency. It is managed, under the DCI, by the (statutory) Deputy DCI. There are four functional Directorates.

1. The Directorate of Operations has primary national responsibility for the clandestine collection of foreign intelligence, including the clandestine collection of SIGINT. STATINTL

  
It conducts counter-intelligence abroad and coordinates these activities with the FBI, which is solely responsible for domestic counter-intelligence. The Operations Directorate is also responsible for covert action. (See Section V below.)

2. The Directorate of Science and Technology is responsible for research and development of technical collection systems. Its program is unique; it is dedicated to exploiting new technology solely for intelligence collection purposes. This Directorate collects technical intelligence, largely SIGINT, in collaboration with the Directorate of Operations. It processes imagery through its management of the National Photographic Interpretation Center. It produces scientific and technical intelligence, especially concerning the characteristics of foreign strategic weapons systems.

3. The Directorate of Intelligence is responsible primarily for intelligence production. It produces political, military, economic, biographic, geographic, and sociological intelligence and synthesizes these with the work

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of S&T Directorate. In addition, through the Foreign Broadcast Information Service it collects intelligence from foreign open radio and television broadcasts (Radio Moscow, for instance). Its processing activities include the translation of these broadcasts and of foreign documents.

4. The Directorate of Administration is responsible for a variety of support activities. It provides: communications; computer facilities; logistic, medical, financial, and personnel services; conducts training; and maintains security.

5. CIA's collection activities are carefully coordinated with those of other intelligence agencies to minimize duplication and ensure coverage of all major targets. (All SIGINT collection, for instance, is conducted within an annual national plan.) CIA's production capability is comprehensive but varies considerably in depth of coverage. On certain topics such as economics CIA maintains unique research capabilities as a service of common concern. On others of great national importance, such as Soviet strategic weapons systems, it maintains research programs in deliberate competition with those of the military services. (Experience has proved the worth of this competition; there is no monopoly on wisdom.) Finally, on topics of lesser importance CIA maintains the minimal capability necessary to provide the DCI a check on the work of other agencies.

B. Defense Intelligence Management. The Deputy Secretary of Defense, Mr. Ellsworth, maintains overall cognizance of Department of Defense intelligence on behalf of the Secretary. He has an Assistant Secretary of Defense (Intelligence)/Director of Defense Intelligence. The latter has two deputies: the Director, DIA, and a deputy for management and resource matters. Where national intelligence matters are concerned, the various agencies of Defense take their guidance from the Director of Central Intelligence.

C. The National Security Agency. NSA is responsible for collection, processing, decryption, and dissemination of SIGINT for the federal government. Its output provides raw material to the production organizations and also supports military commanders in the field. Much SIGINT collection is done, under NSA control, by field intercept stations managed and supported by the military services. As noted above, certain CIA operations also contribute to NSA activities. The Director, NSA, is subordinate to the Secretary of Defense but takes operational guidance from the Director of Central Intelligence. NSA is also responsible for cryptographic security.

D. The "Special Joint Office."\* This office is located within the Department of Defense, but under joint DCI/Secretary of Defense management. It is responsible for the development and management of reconnaissance systems, except for tactical reconnaissance conducted by the military services. It has no processing or production functions, and its collection activities are guided by priorities and requirements set by the DCI.

E. The Defense Intelligence Agency. DIA is responsible for coordination of the intelligence activities of the military services. In the collection field, it manages the military attache system. It produces military and related intelligence in support of the Secretary of Defense, the Joint Chiefs of Staff, and the major military commands. The Director, DIA, is responsible both to the Secretary of Defense and the Chairman, JCS.

F. The Bureau of Intelligence And Research, Department of State. INR is the intelligence arm of State. It is quite small, less than 350 people altogether. It has two major functions, production of political and some economic intelligence

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\* *The specific name and function are classified.*

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to meet State's departmental needs, and coordination of State's relations with other intelligence activities. This includes State participation in national intelligence production (See IV D below), relations with CIA's Directorate of Operations, and transmission of intelligence requirements to our Embassies abroad. INR has no collection or processing responsibilities.

G. The Service Intelligence Agencies. The Army, Navy, and Air Force maintain important intelligence research centers. These are mainly directed at technical questions of direct concern to the service involved, but they also provide important and unique national intelligence capabilities. For instance, the Air Force's Foreign Technology Division at Wright-Patterson Air Force Base in Ohio is the best single source for analysis of Soviet aircraft and missiles. Navy provides highly specialized collection and analysis in undersea warfare.

H. The Federal Bureau of Investigation. The FBI does have a role in foreign intelligence. Obviously it works closely with the CIA Directorate of Operations in foreign counterintelligence matters and provides intelligence from its penetrations of foreign organizations within the US.

I. Treasury. Treasury is primarily a consumer of intelligence. It makes some contributions through its collections of economic data abroad, but it has no production function.

J. Energy Resource and Development Administration. ERDA's role in intelligence is inherited from the Atomic Energy Commission. It, like Treasury, is primarily a consumer, but it does make a contribution in intelligence on analysis of foreign nuclear explosions.

IV. The DCI

The organizations listed above constitute the "Intelligence Community." The Director of Central Intelligence is the:

- Primary intelligence adviser to the President
- Leader (for lack of a better term) of the Intelligence Community
- Director of CIA

Of these, the most clearly defined is the last. In practice, his ability to head the Community depends both on his access to the President as adviser and on the institutional base of CIA. When he has and is known to have such access, the Community will respond to his lead. On the other hand, his interests as Community leader are often different from those as Director of CIA. E.O. 11905 was designed in part to ease some of these problems.

A. The DCI and the President. The Act of 1947 is ambiguous with regard to the position of the DCI. He is "under" the NSC, but the NSC has no corporate existence. It advises the President; hence it has been (reasonably) assumed that the DCI answers to the President. The modalities of the arrangement have depended in considerable degree on personality. In recent years the practice has been for the DCI to deal with the Assistant to the President for National Security Affairs on routine matters (usually several times a day). The present DCI, however, meets alone with the President at least once a week. He also attends NSC meetings, not as a policy advocate, but as an adviser on intelligence matters. He is also a member of the NSC Sub-Committees and an active participant in discussions other than the recommendation of policy.

B. Executive Order 11905. The structure of American intelligence had been subject to two major criticisms with regard to the position of the DCI.

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First, his position as head of the Intelligence Community was said to be incompatible with his position as Director of CIA: he was forced to be impartial arbitrator and advocate at the same time. Second, and counter to the first, his authority was said to be not commensurate with his responsibilities; he did not have the power to enforce his decisions, however impartial, over agencies other than CIA. [REDACTED]

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E.O. 11905 was intended to give increased powers to the DCI and at the same time go some distance toward meeting these criticisms.\* It provided that the DCI have two deputies, one to assist in his supervision and direction of the CIA and one to assist in his supervision and direction of the Community. (The statutory Deputy DCI, Mr. Knoche, is responsible for the Agency; legislation is being sought to make the Deputy for the Community, [REDACTED] statutory as well.) Under this arrangement the DCI is the arbitrator, his Agency Deputy the advocate for Agency programs.

E.O. 11905 made a clear distinction between those portions of the DCI's job in which, as intelligence adviser to the President, he must be paramount, and those in which, as manager of the Community, he must balance the needs of the National Security Council for intelligence support in peacetime and crisis against those of the Department of Defense for support in war and in building war-fighting capabilities. For the first, largely having to do with substantive intelligence assessments, E.O. 11905 gave the DCI virtually a free hand. For the second, largely concerned with resource and budget issues, it for the first time established an organizational structure in which issues between the DCI and the Secretary of Defense could

\* The responsibilities assigned to the DCI by E.O. 11905 are quoted at Annex.

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be resolved. Realistically, it recognized this was not an area in which the DCI could be dominant. The issues are institutional, the needs of each institution valid. The Order provided a mechanism for compromise.

C. The Committee on Foreign Intelligence. This mechanism was the Committee on Foreign Intelligence or CFI. Patterned on a successful management arrangement for the "Special Joint Office," it extended that arrangement to the entire National Foreign Intelligence Program (NFIP). The DCI chairs the CFI, with the Deputy Secretary of Defense (Mr. Ellsworth) and the Deputy Assistant to the President for National Security Affairs (Mr. Hyland) as members. The Committee is not advisory to the DCI; it normally operates by consensus, but decisions can be appealed to the NSC and ultimately to the President. Its responsibilities are as follows:

"(i) Control budget preparation and resource allocation for the National Foreign Intelligence Program.

"(A) The DCI shall, prior to submission to the Office of Management and Budget, review, and amend as he deems appropriate, the budget for the National Foreign Intelligence Program.

"(B) The CFI shall also adopt rules governing the reprogramming of funds within this budget. Such rules may require that reprogrammings of certain types or amounts be given prior approval by the CFI.

"(ii) Establish policy priorities for the collection and production of national intelligence.

"(iii) Establish policy for the management of the National Foreign Intelligence Program.

"(iv) Provide guidance on the relationship between tactical and national intelligence; how-

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ever, neither the DCI nor the CFI shall have responsibility for tactical intelligence.

"(v) Provide continuing guidance to the Intelligence Community in order to ensure compliance with policy directions of the NSC."

1. The DCI's Intelligence Community Staff provides staff support for the CFI. It is headed by the DCI's Deputy for the Intelligence Community who is Executive Secretary of the CFI. The IC Staff's responsibilities extend beyond the CFI, however, to the National Foreign Intelligence Board (See IV D below) and the DCI Committees (IV E below). For the CFI its most important function is to develop, administer, and defend the National Foreign Intelligence Program. The IC Staff is not a part of CIA. Its personnel are contributed by all the intelligence agencies. It is presently located in the CIA Headquarters Building at Langley, Va., but will soon be moved to its own quarters in downtown Washington.

2. The National Foreign Intelligence Program is the budget for all US intelligence activities except the tactical intelligence operations of the military services. It has the following major components:

-- The Combined Cryptologic Program (CCP); NSA and related SIGINT activities of CIA and the military services.

-- The "Special Joint Program," those funds spent on research, development, and operation of special intelligence collection systems.

-- The Central Intelligence Agency Program (CIAP); all other funds for CIA, including those for covert action.

-- The General Defense Intelligence Program (GDIP); all other Department of Defense spending for intelligence other than tactical, including DIA and Army, Navy, and Air Force Intelligence.



In addition, the NFIP includes the extremely small funds spent for State/INR and the intelligence staffs of Treasury and ERDA.

3. The intelligence budgetary cycle is generally similar to that of the Federal Budget as a whole. The NFIP is classified, but it is subject to the same reviews as the general budget, for the Executive by the Office of Management and Budget and for the Congress by those Committees and staffs it designates. These organizations have full access to the details of the NFIP and any of its component programs. It is only in the open, published federal budget that certain portions are hidden within other appropriations.

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As the CFI was only organized last spring, its procedures are still not fully worked out. It is necessary to integrate consideration of the NFIP as a coherent single program with the complex budgetary procedures of OMB and the Department of Defense. It appears, however, that the CFI will review the CCP, GDIP, CIAP, etc. individually during the spring and summer, and that this will be followed by a cross-program review designed to produce an integrated NFIP. The NFIP will then be submitted to OMB for its review in the fall. Any issues that emerge between OMB and the CFI can then be appealed to the President before his annual budget message is submitted to Congress. At this writing the CFI is preparing guidance for the individual program managers' use in preparing their proposals for Fiscal Year 1979. It has just completed its cross-program review of the NFIP for FY 78, and is negotiating with Congress on certain aspects of the budget for FY 77 as Congressional consideration of the Defense Appropriations Bill reaches its final stages.

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4. The Congressional role in the intelligence budget is in a state of flux. The responsibilities of the Budget Committees have not been defined, nor is it clear how Senator Inouye's Committee will operate in this regard. In the past the Intelligence Subcommittees of the Senate and House Armed Services Committees have been briefed in fairly general terms, while the Subcommittees on Defense of the Senate and House Appropriations Committees have been briefed in greater detail. The latter have access to any detail they request, and the House in particular has been vigorous in its budgetary review. In the future, it seems clear that the Senate Select Committee will review the entire NFIP in some depth prior to its consideration by the Appropriations Committee. It will also have jurisdiction over the CIAP, while Armed Services will retain jurisdiction over the military programs. Arrangements are being made for Government Accounting Office teams to be assigned to the Select Committee for audits of CIA activities.

D. The DCI as Intelligence Advisor to the President.

As noted above, E.O. 11905 gave the DCI a free hand in the field of substantive intelligence assessment, in technical jargon the production of "national intelligence." (National intelligence is simply that intelligence needed for the formulation of national policy; it usually involves the work of more than one intelligence agency and often requires the concurrence or dissent of all of them). Actually, the Order confirmed the leading position the DCI has taken in this field since the early 1950's.

1. The instrument through which the DCI acts in national intelligence is the National Foreign Intelligence Board, formerly the United States Intelligence Board. The NFIB is a committee consisting of the senior officers of the Intelligence Community. It is chaired by the DCI and is advisory to him.

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The membership of NFIB is as follows: Deputy to the DCI for the Intelligence Community, Vice-Chairman; Deputy Director of Central Intelligence, CIA Member; Director of DIA, Director of NSA, Director of INR, Senior Representatives of Treasury, ERDA, and the FBI. The military intelligence chiefs are technically "observers" rather than members, but they act -- and dissent -- as if they were members. The Director of the "Special Joint Office" sits in when matters of concern to him are discussed.

The primary function of NFIB is to consider national intelligence (see D3 below). It does, however, support the DCI in a number of other ways in coordinating the activities of the Intelligence Community.

2. Staff support for the NFIB comes in varying degrees from the IC Staff and the DCI Committees, but in substantive matters largely from the National Intelligence Officers. The NIOs, under the Deputy to the DCI for National Intelligence, are a substantive staff to the DCI. Like the IC Staff, they are an Intelligence Community rather than a CIA organization. They are responsible to the DCI for the production of national intelligence within their assigned fields, and are empowered by him to draw on the full resources of the Community to meet policy needs. They provide a link among consumers, producers, collectors, and experts outside government. There are at present ten NIOs: for the Soviet Union and Eastern Europe, for Western Europe, for the Middle East, for South and Southeast Asia and Africa, for China, for Japan and East Asia, for Latin America, for strategic programs, for conventional forces, and for economics.

3. The production of National Intelligence, under the auspices of the National Intelligence Officers, is the ultimate purpose of the national intelligence system. It consists of a wide range of studies, assessments, and estimates identified

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by the appropriate NIO (or requested of him by a senior policy officer), as necessary to the formulation of policy. The NIO is responsible for ensuring that, in normal circumstances, all the resources of the Community are tapped in response, and that all agencies have an opportunity to present their views. The products range from the Interagency Memorandum prepared by one agency and discussed with other agencies at the working level (What arms is South Africa supplying to Rhodesia?) to the formal National Intelligence Estimate prepared jointly by several agencies and extensively coordinated, finally by NFIB itself (Soviet Offensive and Defensive Strategic Programs).

The views expressed in National Intelligence Estimates, or other interagency assessments, are those of the DCI. He is obligated, however, to respect the right of dissent. Should any NFIB principal differ with the DCI's findings, he may have his own views published as an integral and conspicuous part of the Estimate. This process ensures that all relevant resources of the Federal Government are tapped and that all informed opinion is expressed in the intelligence assessments presented by the DCI to the President and the NSC.

4. There are times when current intelligence reporting and assessment is as important to national policy as estimative intelligence. It is not possible, however, to keep current reporting current and at the same time subject it to the time-consuming procedures of formal coordination. The production of current intelligence for the national consumer is therefore delegated by the DCI to the Office of Current Intelligence in CIA. OCI is nevertheless committed to seek the opinions and contributions of other agencies when time permits, and to print dissenting opinions.

E. The DCI Committees. The former United States Intelligence Board had a series of functional sub-committees. These have been retained

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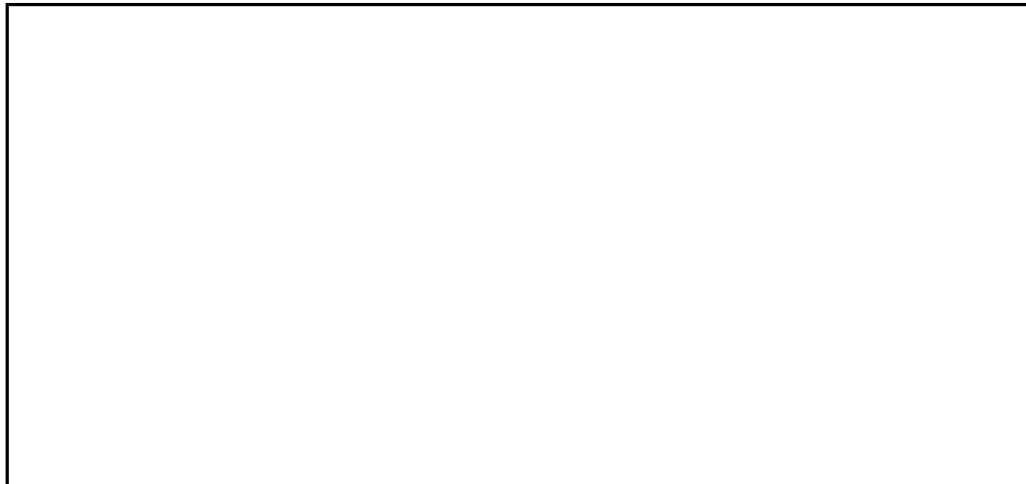
after the issuance of E.O. 11905 as subordinate to the DCI, supporting the NFIB and the DCI as circumstances require. Each is designed to coordinate Community activities in its given field. Its Chairman is nominated by the DCI and its membership includes representatives of all interested agencies both within the Community and elsewhere in government. There are four "production" committees, Weapons Systems, Scientific and Technical, Economic, and Atomic Energy; three "collection" committees, SIGINT, Imagery Requirements and Exploitation, and Human Resources; and miscellaneous committees for Security, Information Handling,   and Critical Collection Problems.

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V. Covert Action

A. The nature of covert action. In general, covert action is action to influence events abroad taken by the US government either confidentially or in ways that do not reveal its sponsorship. In practice such action can range from large para-military programs (e.g., Laos) through more modest activities designed to influence foreign political opinion to simple "message-carrying." An example of the last is action in 1974 to assure two US allies that each was reacting to the defensive alerts of the other.

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B. Administration of Covert Action. Proposals for covert action programs, i.e., proposals that involve the allocation of funds and/or personnel, can originate with an Ambassador or CIA Station in the field, with the Departments of State or Defense, with CIA Headquarters, or with the National Security Council. Wherever it originates, the proposal is staffed by CIA Headquarters and coordinated with the Department of State and concerned Ambassadors. It is then considered by the Operations Advisory Group. OAG approval is mandatory prior to implementation of any program.

The OAG was established by E.O. 11905 to replace the NSC subcommittee known under various Administrations as 54/12, 303, and 40 (taken from the numbers of the Presidential directives). In comparison with its predecessors, the OAG is more structured and has more formal procedures. It is chaired by the Assistant to the President for National Security Affairs. The Secretaries of State and Defense, the Chairman of the Joint Chiefs of Staff, and the DCI are members; the Attorney-General and Director, Office of Management and Budget, are observers. The OAG makes written recommendations to the President, with each member required to concur or dissent. Only after Presidential decision is any action taken.

C. Congress and Covert Action. In the past the intelligence subcommittees of the Armed Services and Appropriations Committees of both houses were briefed, usually after the fact, on major covert action programs. In addition, informal consultation took place with Committee Chairmen on the occasion of major expenditures and the Committees were formally notified of withdrawals from the Agency's contingency reserve fund with respect to covert action programs and other unforeseen contingencies. This fund was established to provide a means of augmenting CIA appropriations when necessary without requiring recourse to a supplemental appropriation. It would have been necessary

to volunteer the purpose for which any supplemental appropriation was necessary, and this would have threatened the security of the program. Section 662 of the Foreign Assistance Act of 1974, however, requires that the President certify each covert action program to be "important to the national security" and to so notify the Foreign Affairs, Armed Services, and Appropriations Committees of both houses of each such finding in a timely fashion. The responsibility for such reporting has been delegated to the DCI by the President. The Executive has complied with this requirement.

VI. Oversight

A. The President's Foreign Intelligence Advisory Board. PFIAB is a board of distinguished citizens appointed by the President to oversee intelligence operations with a view to making them more effective and efficient. PFIAB has been instrumental, for instance, in encouraging the development of collection systems using advanced technology. The full board meets for two days six times a year, and a number of its members participate also on subcommittees and on inspection trips. Its present chairman is Leo Cherne. It has a small permanent staff.

B. The Intelligence Oversight Board. In response to the findings of the Rockefeller Commission on improprieties in intelligence operations, E.O. 11905 established an Intelligence Oversight Board appointed by the President. It is chaired by Ambassador Robert Murphy and also has a small professional staff. Its membership interlocks with that of PFIAB, but it is a separate body reporting to the President through the Attorney-General and the PFIAB. It receives reports from the Inspectors-General and General Counsels of the various intelligence agencies and may conduct investigations of improprieties when it deems warranted. In addition, individual intelligence officers may report improprieties to it without the permission or knowledge of their superiors.

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Congressional Oversight. In the past, Congressional oversight over CIA has been exercised by the Armed Services Committees of the Senate and House. (As the sponsoring committees of the National Security Act of 1947, they assumed jurisdiction over agencies created by it.) This remains the arrangement in the House, with responsibility vested in a sub-Committee chaired by Representative Nedzi. This spring, however, the Senate transferred exclusive jurisdiction over CIA to Senator Inouye's Select Committee on Intelligence, and gave it "sequential" jurisdiction (with Armed Services and other oversight committees) over the intelligence activities of Defense and other agencies. To the extent they have requested it, these oversight bodies have been given full access, except for the true names of agents and cooperating foreign intelligence sources, to the entire range of CIA activities.

As noted above, similar access has been given to subcommittees of the Appropriations Committees. The Foreign Affairs Committees and other Congressional committees are, on request, briefed on substantive intelligence assessments within the areas of their jurisdiction, but not on intelligence operations except as required by Section 662.



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Annex

"Director of Central Intelligence

(1) The Director of Central Intelligence, pursuant to the National Security Act of 1947, shall be responsible directly to the National Security Council and the President. He shall:

(i) Chair the CFI.

(ii) Act as executive head of the CIA and Intelligence Community staff.

(iii) Ensure the development and submission of a budget for the National Foreign Intelligence Program to the CFI.

(iv) Act as the President's primary adviser on foreign intelligence and provide him and other officials in the Executive branch with foreign intelligence, including National Intelligence Estimates; develop national intelligence requirements and priorities; and supervise production and dissemination of national intelligence.

(v) Ensure appropriate implementation of special activities in support of national foreign policy objectives.

(vi) Establish procedures to ensure the propriety of requests, and responses thereto, from the White House Staff or other Executive departments and agencies to the Intelligence Community.

(vii) Ensure that appropriate programs are developed which properly protect intelligence sources, methods and analytical procedures. His responsibility within the United States shall be limited to:

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(A) Protection by lawful means against disclosure by present or former employees of the Central Intelligence Agency or persons, or employees of persons or organizations, presently or formerly under contact with the Agency;

(B) providing leadership, guidance and technical assistance to other government departments and agencies performing foreign intelligence activities; and

(C) in cases involving serious or continuing security violations, recommending to the Attorney General that the case be referred to the Federal Bureau of Investigation for further investigation.

(viii) Establish a vigorous program to downgrade and declassify foreign intelligence information as appropriate and consistent with Executive Order No. 11652.

(ix) Ensure the existence of strong Inspector General capabilities in all elements of the Intelligence Community and that each Inspector General submits quarterly to the Intelligence Oversight Board a report which sets forth any questionable activities in which that intelligence organization has engaged or is engaged.

(x) Ensure the establishment, by the Intelligence Community, of common security standards for managing and handling foreign intelligence systems, information and products, and for granting access thereto.

(xi) Act as the principal spokesman to the Congress for the Intelligence Community and facilitate the use of foreign intelligence products by Congress.

(xii) Promote the development and maintenance by the Central Intelligence Agency of services of common concern to the Intelligence Community organizations, including multi-discipline analysis, national level intelligence products, and a national level current intelligence publication.

(xiii) Establish uniform criteria for the identification, selection, and designation of relative priorities for the transmission of critical intelligence, and provide the Secretary of Defense with continuing guidance as to the communications requirements of the Intelligence Community for the transmission of such intelligence.

(xiv) Establish such committees of collectors, producers and users of intelligence to assist in his conduct of his responsibilities as he deems appropriate.

(xv) Consult with users and producers of intelligence, including the Departments of State, Treasury, and Defense, the military services, the Federal Bureau of Investigation, the Energy Research and Development Administration, and the Council of Economic Advisors, to ensure the timeliness, relevancy and quality of the intelligence product."