

Reference is made to the DIA need for "an assured, standardized method for duty personnel to be able to pass ORCON material quickly to applicable CINCs when circumstances require." With respect to CIA intelligence information cables originating with the Directorate of Operations it should be noted that it is normal practice for CIA to transmit such cables to concerned overseas CINCs at the same time they are being disseminated to DIA. If DIA wishes to disseminate an analysis of a CIA information report only to the CINCs who received the report as specified in the final numbered paragraph of the report, it may do so without prior clearance from the originator provided the dissemination controls on the analysis are the same as those on the original report.

With respect to other uses of ORCON material originated by the Directorate of Operations a method for obtaining speedy clearance has been in operation for some years. During duty hours the DO Reports Clearance office, [redacted] receives calls for this purpose. After duty hours such calls are made to the DO Intelligence Information Dissemination Branch on extension [redacted]

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Normally DIA requests to the DO Reports Clearance office have been to request permission to use ORCON controlled information in publications and not to provide information to the headquarters of one of the seven Unified and Specified Commands. DIA review(s) completed.

The publications have varying distribution lists. One example is the Defense Intelligence Notice (DIN) with a hard copy distribution from 180 to 200 copies and a normal cable distribution (DINOZ) to some 200 cable addresses in the U.S. and overseas. Lately an increased number of clearances have been granted by the DO Reports Clearance office for DIA to publish ORCON information in the DIN hard copy but with cable distribution limited to the DIN "U.S. ONLY" cable (44 cable addresses) and to an overseas CINC specified by DIA.

30 Oct 1975

1. The dissemination control DISSEMINATION AND EXTRACTION OF INFORMATION CONTROLLED BY THE ORIGINATOR (ORCON) which was established by DCID 1/7, "Control of Dissemination of Foreign Intelligence", has been the subject of special concern since the DCID went into effect on 5 October 1975. Although the language of the DCID was most carefully considered by the drafting task group and was afforded full coordination within the USIB Security Committee and the USIB itself, the full impact of the new dissemination controls, especially ORCON, became apparent only after the DCID had been put in effect.

2. As a preamble to this discussion it might be useful to repeat the definition of ORCON.

"This marking shall be used when unique source sensitivity factors, known to the originator, require strict compliance with third agency rule procedures, in addition to continuing knowledge and supervision on the part of the originator as to the extent to which the original document and information contained there in is disseminated. Documents and information bearing this marking will not be disseminated beyond the Headquarters elements of the recipient organizations and the

information contained therein shall not be extracted and incorporated into other reports without the permission of and under conditions prescribed by the originator."

3. One question that has been raised has been the extent of dissemination permitted a recipient organization under the restrictions of this control without seeking permission of the originator. It should be noted that the words used in the definition are not "commanding officers" but "Headquarters elements." The phrase "Headquarters elements" was intended by the drafters as a geographical limitation on dissemination and not as a limitation based on rank or position. It was presumed that intelligence analysts at the addressee unit's headquarters could have access to such material if their assigned duties gave them a need to know. The drafters were aware that intelligence information must be available to substantive intelligence specialists before evaluated intelligence studies and estimates can be produced. The drafters were also aware that the mechanical aspects of dissemination must be recognized when contemplating the likely effects of dissemination controls. For example, at the time of its establishment DIA requested that CIA deliver its intelligence information reports to DIA which would then make dissemination to DOD elements. In the case of intelligence information cable the point of delivery was established as the JCS message center. The standard distribution given these cables by the JCS message

center in response to DIA instructions is 44 copies and the addressees are C/JCS, J-3, J-5, SECDEF, ISA, ASD PA&E, CSA, CNO, CSAF, CMC, and DIA. The CIA drafters of the DCID consider this distribution to be within ORCON restrictions.

4. Another question which has been raised with respect to ORCON is whether or not it is appropriate for intelligence publications with wide circulation to carry the ORCON control. In this instance there is no other way for the publisher of an intelligence publication to insure that the information in the publication will be confined to offices on the distribution list which he established. Moreover, there is no other way that the originator of a sensitive intelligence information report can be assured that the conditions under which he authorized his information to be used in the publication will be honored. In the absence of the ORCON control recipients of the publication could extract information from the publication and redisseminated it without the knowledge of the originator.

5. The use of controls such as NOFORN and NOCONTRACT on documents which also carry the ORCON control has also been questioned. The need for the NOFORN controls becomes apparent when it is recalled that foreign officers are on duty with some headquarters elements of USIB agencies. An example would be Second Officer Thompson of the British Navy who serves as a branch chief in the Naval Intelligence Support Center. The

need for the NOCONTRACT control becomes apparent when it is recalled that contractors, such as the RCA contractors engaged in developing the Advanced Indications Technology Experiment for DIA in the Pentagon, are working in the Headquarters elements of USIB agencies.

6. The implementation of the new DCID has not, from the evidence available in the clearance office in the CIA Directorate of Operations, materially impeded the publication of the more important current intelligence publications such as the National Intelligence Bulletin and the Defense Intelligence Notices. In these instances, of course, the editors of the publications were fully accustomed to working within dissemination control restraints and were familiar with procedures for obtaining permission to utilize information in a manner contrary to the controls.

7. The fact that questions on the application of the DCID 1/7 dissemination controls such as those discussed above are being raised by DIA and other suggests that it would be appropriate to convene a meeting of the officers who, in response to paragraph 6d of the DCID, have been designated as primary referents.

ROUTE TO	ACTION	SIGNATURE	ORIGINATOR (Symbol)	TELEPHONE NO.	DATE
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			Chairman, Security Committee		
			CONTROL & COPY NUMBER		TYPIST'S INITIALS
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SUBJECT

Use of Dissemination and Extraction of Information Controlled by Originator (ORCON) Marking

SUMMARY

PURPOSE: This summary sheet forwards for your signature a proposed response to DIA's message requesting an assured, standardized method for duty personnel to be able to pass ORCON material quickly to applicable CINCs. They suggest CIA Ops Center be prepared to grant such authority.

DISCUSSION: I have been in touch with [redacted] and he told me that they would not want to give such authority to the OPS Center. A method in the DDO has been in operation for some years and is available on a 24-hour basis.

I have pressed the DDO to grant blanket authority for distribution to the CINCs of ORCON material without receiving prior clearance. It is the DDO position that this cannot be done. They did agree that if the CINC was a recipient of a CIA intelligence information cable, an analysis by DIA could be sent to that CINC without prior ORCON clearance.

The DO Reports Clearance Office reported that DIA requests are normally for permission to use ORCON material in publications rather than for dissemination to a U&S Command.

RECOMMENDED ACTION: That you sign the attached cable.

Attachment: Cable to DIA

REFERENCES: (A) Comments from DDO
(B) DIA Incoming Cable

CABLE SEC DISSEM BY

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TOTAL COPIES

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REPRODUCTION BY OTHER THAN ISSUING OFFICE IS PROHIBITED

CONFIDENTIAL

PERSON/UNIT NOTIFIED:

NON AGENCY MESSAGE

ADVANCE COPY ISSUED/SLOTTED

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ACTION #

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EIA704

PAGE 01

NC 17810

TOR: 071405Z NOV 75

P 071359Z NOV 75

FM DIA WASH DC

TO CIA WASH DC

BT

CONFIDENTIAL 8634

FROM CS/DP FOR D/DCI/IC

SUBJ: USE OF DISSEMINATION AND EXTRACTION OF INFORMATION CONTROLLED BY ORIGINATOR (ORCON) MARKING (U)

REFS: A. D/DCI/IC MSG 050410Z NOV75, SUBJECT AS ABOVE.

B. MEETING ON USE OF ORCON, 1330 HRS, 5 NOV 75.

1. (C) SUGGESTION FOR USE OF NIB IN YOUR PARAS 3 AND 5 WILL NOT SOLVE DIA PROBLEM. DIA IS RESPONSIBLE FOR PROVISION OF TIMELY I & W INTEL TO CINCS, COMPLETE WITH BEST DIA ANALYSIS. DIA WARNING APPRAISAL 145-75 CONCERNING SYRIA WAS DELAYED 12 HOURS IN TRANSMITTAL TO CINCEUR DUE BOTH TO DIFFERING VIEWPOINTS REGARDING ORCON MEANING AND SUBSEQUENT NEED TO SANITIZE, DIA NEEDS AN ASSURED, STANDARDIZED METHOD FOR DUTY PERSONNEL TO BE ABLE TO PASS ORCON MATERIAL QUICKLY TO APPLICABLE CINCS WHEN CIRCUMSTANCES REQUIRE. AS INTERIM SOLUTION, SUGGEST CIA OPS CTR BE PREPARED GRANT SUCH AUTHORITY, PROTECTED BY EYES ONLY HANDLING INSTRUCTIONS, ON REQUEST OF DIA ADIN.

DDO/DIA

2. (C) DIA UNDERSTANDING OF 5 NOV MEETING IS THAT:

A. A MESSAGE WILL BE SENT ADVISING ORIGINATORS OF PROBLEMS BEING EXPERIENCED WITH THE ORCON MARKING AND REQUESTING THAT THIS HIGHLY RESTRICTIVE MARKING BE APPLIED ONLY AFTER CAREFUL CONSIDERATION OF THE EFFECTS.

B. CONSIDERATION WILL BE GIVEN USE OF PARAGRAPH MARKING ON ORCON DOCUMENTS.

C. AN EFFORT WILL BE MADE TO INSURE EXPEDITIOUS RELEASE AUTHORITY FOR ORCON MATERIAL TO NAMED OVERSEAS COMMANDERS.

D. AN EFFORT WILL BE MADE TO EXPEDITIOUSLY AUTHORIZE USE OF PORTIONS OF ORCON DOCUMENTS WITH LESSER HANDLING CAVEATS.

E. THE VOLUME OF ORCON MATERIAL BEING GENERATED WILL BE MONITORED FOR AT LEAST 30 DAYS TO DETERMINE IF A SIGNIFICANT REDUCTION HAS OCCURRED.

3. (C) THE STEPS OUTLINED IN PARAGRAPH 1 AND 2, ABOVE SHOULD ASSIST IN ALLEVIATING THE IMMEDIATE PROBLEM OF PROVIDING TIMELY INTELLIGENCE SUPPORT TO COMMANDERS. THEY WILL NOT SOLVE THE LONGER TERM PROBLEM CAUSED BY THE STRICT THIRD AGENCY REQUIREMENTS FOR ORCON WHICH WILL AFFECT THE FREE INTERCHANGE OF INFORMATION AMONG

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PERSON/UNIT NOTIFIED _____

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PAGE 02-02

NC 17810

TOR:071405Z NOV 75

THE COMMUNITY (AS EXPRESSED BY CRS AT CIA). PROBLEM ALSO EXISTS AT DIA AND NSA SINCE STRICT INTERPRETATION OF RULES FOR ORCON ACCESS WOULD DENY THIRD AGENCY ACCESS TO REFERENCE LIBRARY MATERIALS, GDS 1981.

1. DO NOT REMOVE TAB. REFERENCE MATERIAL MUST BE STAPLED ONLY TO THE TAB DURING COORDINATION AND RELEASE OF THE MESSAGE. ORIGINAL AND YELLOW COPY TO CABLE SECRETARIAT. REMOVE SUPPORTING DOCUMENTS.
 2. SET MARGIN FOR 60 CHARACTERS TO FIT IN ADDRESS BOXES.
 3. MESSAGES ARE CONSIDERED ROUTINE UNLESS A HIGHER PRECEDENCE IS INDICATED IN THE ADDRESS LINE.

Approved For Release 2004/04/15 : CIA-RDP82M00591R000300120005-2

← ALIGN FIRST LETTER IN THIS BOX. TYPE THE WORD "ALIGN" TO REGISTER HERE →

OUTGOING MESSAGE

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CLASSIFICATION
C O N F I D E N T I A L

MESSAGE HANDLING INDICATOR DATE-TIME GROUP CITE MESSAGE REFERENCE NUMBER

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TO DIA.4
 FROM D/DCI/IC FOR CS/DP.4
 SUBJECT: USE OF DISSEMINATION AND EXTRACTION OF INFORMATION CONTROLLED BY ORIGINATOR {ORCON} MARKING.4

1. REFERENCE YOUR MESSAGE 07139Z NOV 75.4
 2. IN REPLY TO YOUR REQUEST FOR AN ASSURED METHOD OF PASSING ORCON MATERIAL QUICKLY TO APPLICABLE CINCS, I HAVE BEEN ASSURED THAT THE FOLLOWING OFFICES IN THE CIA/DO ARE PREPARED TO HANDLE ORCON CLEARANCE REQUESTS:

- A. DURING DUTY HOURS, THE DO REPORTS CLEARANCE OFFICE, EXTENSION [REDACTED]
- B. AFTER DUTY HOURS, THE DO INTELLIGENCE INFORMATION DISSEMINATION BRANCH, EXTENSION [REDACTED]

3. IT IS NORMAL PRACTICE FOR CIA/DO TO TRANSMIT INTELLIGENCE INFORMATION CABLES TO CONCERNED OVERSEAS CINCS AT THE SAME TIME THAT THEY ARE DISSEMINATED TO DIA. IF DIA WISHES TO DISSEMINATE AN ANALYSIS OF THIS REPORT TO THAT CINC, IT MAY DO SO WITHOUT PRIOR CLEARANCE FROM THE ORIGINATOR. THE DISSEMINATION CONTROLS

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1. DO NOT REMOVE TAB. REFERENCE MATERIAL MUST BE STAPLED ONLY TO THE TAB DURING COORDINATION AND RELEASE OF THE MESSAGE. SEND ORIGINAL AND YELLOW COPY TO CABLE SECRETARIAT. REMOVE SUPPORTING DOCUMENTS.
2. SET MARGIN FOR 6 ANCHOR VERTICAL POSITIONING. DO NOT EXCEED 150 CHARACTERS PER LINE.
3. MESSAGES ARE CONSIDERED ROUTINE UNLESS A HIGHER PRECEDENCE IS INDICATED IN THE ADDRESS LINE.

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← ALIGN FIRST LETTER IN THIS BOX. TYPE THE WORD "ALIGN" TO REGISTER HERE →

OUTGOING MESSAGE

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CLASSIFICATION

MESSAGE HANDLING INDICATOR DATE-TIME GROUP CITE MESSAGE REFERENCE NUMBER

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ON THE ANALYSIS, HOWEVER, MUST BE THE SAME AS THOSE ON THE ORIGINAL REPORT. THIS SHOULD GIVE CONSIDERABLE RELIEF TO THE PROBLEM CONCERNING TIMELY PASSAGE OF ORCON MATERIAL TO APPLICABLE CINCS.4

4. EXPERIENCE HERE SHOWS THAT DIA REQUESTS FOR CLEARANCE HAVE NORMALLY BEEN FOR USE OF ORCON CONTROLLED INFORMATION IN PUBLICATIONS RATHER THAN TO PROVIDE SPECIFIC INFORMATION TO THE HEADQUARTERS OF ONE OF SEVEN UNIFIED AND SPECIFIED COMMANDS.4

5. A MEMORANDUM FOR USIB PRINCIPALS (USIB-D-5.1/42) WAS PUBLISHED ON 13 NOV 75 REQUESTING A CRITICAL REVIEW OF CURRENT USES OF ORCON TO ENSURE THAT FUTURE USE IS IN STRICT COMPLIANCE WITH THE DCID. THE USIB SECURITY COMMITTEE IS CONTINUING TO FOLLOW THE ORCON PROBLEM AND WILL MAKE APPROPRIATE RECOMMENDATIONS TO THE BOARD IF FURTHER ACTION IS INDICATED.4

6. E2 IMPDET.4

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DATE: 21 NOV 75

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