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IAC-D-105/5
8 January 1958
Revised Draft


INTELLIGENCE ADVISORY COMMITTEE

MEMORANDUM FOR: Members of the Intelligence Advisory Committee


SUBJECT : Revision of NSCID No. 5

1. The attached revision of NSCID No. 5 was approved by the IAC on 7 January 1958. At the request of the Office of the Secretary of Defense, a sentence has been re-inserted at the end of paragraph 2.d. -- since the previous removal of this sentence had been contingent upon agreement by OSD.

2. Final IAC action on all revised NSCIDs (except NSCID No. 9) is scheduled for the meeting on 21 January 1958.


JOHN HEIRES
Secretary

Attachment as stated

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Date: 9-18-91 By 

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T.S. 164904/a
IAC-D-105/5 Revised
8 January 1958

NATIONAL SECURITY COUNCIL INTELLIGENCE DIRECTIVE No. 5

U. S. ESPIONAGE AND COUNTERINTELLIGENCE ACTIVITIES ABROAD

Pursuant to the provisions of Section 102(d) of the National Security Act of 1947, as amended, the National Security Council hereby authorizes and directs that:

1. For the purpose of this directive:

a. Espionage is defined as that intelligence activity which is directed toward the acquisition of information through clandestine operations.

b. Counterintelligence is defined as that intelligence activity, with its resultant product which is devoted to destroying the effectiveness of inimical foreign intelligence activities and which is undertaken to protect the security of the nation, and its personnel, information and installations abroad, against espionage, sabotage, and subversion. Counterintelligence includes the process of procuring, developing, recording, and disseminating information concerning hostile clandestine activity and of penetrating, manipulating, or repressing individuals, groups, or organizations conducting or capable of conducting such activity.

2. To ensure centralized direction through prior, comprehensive and continuing coordination of all clandestine activities authorized herein, the Director of Central Intelligence shall:

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a. Establish, in consultation with the Intelligence Advisory Committee, the procedures necessary to achieve such direction and coordination;

b. Coordinate all clandestine activities authorized herein and conducted outside the U. S. and its possessions, including liaison which concerns clandestine activities or which involves foreign clandestine services, except when the provisions of paragraph 8 apply; also coordinate clandestine activities with overt collection abroad;

c. Invite departments and agencies not permanent members of the Intelligence Advisory Committee which have clandestine counterintelligence responsibilities abroad to participate in the Intelligence Advisory Committee deliberations when clandestine counterintelligence matters affecting such responsibilities are under consideration;

d. Make mutually agreeable arrangements with other departments and agencies for such cover support as may be needed by the Central Intelligence Agency and coordinate the arrangements for cover support required by any other department or agency to carry out the clandestine activities authorized in paragraph 4. below, except when such cover is to be provided unilaterally and without utilizing the facilities of or becoming identified with other departments or agencies of the government or non-governmental organizations.

⑥ Arrangements for cover involving the military services or any component of the Department of Defense will be made in accordance with the procedures established by the Secretary of Defense.

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3. The Central Intelligence Agency has primary responsibility for U. S. clandestine activities abroad. Subject to the provisions of paragraph 8, it is responsible for the following services of common concern:

a. The conduct of espionage outside the United States and its possessions in order to meet the intelligence needs of all departments and agencies concerned, in connection with the national security;

b. The conduct of clandestine counterintelligence outside the United States and its possessions;

c. The conduct of liaison with foreign clandestine services or concerning the above clandestine activities with foreign intelligence or security services;

d. The maintenance for the benefit of the intelligence community of central indexes and records of foreign counterintelligence information. All departments and agencies shall contribute to this index, on a continuing basis, such material collected by them as is appropriate for a central file; this material shall be collated and analyzed for appropriate dissemination.

e. Upon request and to the extent practicable, assisting other departments and agencies in connection with their cover support needs.

4. Subject to the provisions of paragraph 2 above, other departments and agencies with commands or installations located outside the U. S. and its possessions may:

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a. Conduct supplementary espionage in order to satisfy departmental intelligence needs;

b. Conduct clandestine counterintelligence activities necessary for the security of their personnel, commands, activities and installations;

c. Conduct liaison with foreign clandestine services or concerning the above clandestine activities with foreign intelligence or security services.

5. The departments and agencies concerned shall assist the Central Intelligence Agency in its conduct of espionage by providing guidance in the form of continuous, timely and specific collection requirements and, as required, assessments of the information collected. Such departments and agencies shall provide similar support to each other as required.

6. In a foreign area, except where paragraph 8 applies, the Director of Central Intelligence shall, after consultation with the Secretary of State, insure that the senior U. S. representative, or his designated representative, is appropriately advised of U. S. espionage and clandestine counterintelligence activities conducted in or from the area.

7. In a foreign area where major U. S. military commands are stationed, the designated representative of the Director of Central Intelligence shall keep the senior U. S. military commanders, or their designated representatives, appropriately informed of the espionage and clandestine counterintelligence activities and operations, conducted by the Central Intelligence Agency in or from such areas, including liaison between CIA and foreign military establishments.

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8. In active theaters of war where U. S. forces are engaged, or when the President so directs:

a. Except as provided in sub-paragraph b. below, the entire Central Intelligence Agency organization conducting espionage and clandestine counterintelligence operations in or from a theater shall as a component force be under the direct command of the U. S. Theater Commander in accordance with agreements separately reached between the Director of Central Intelligence and the Joint Chiefs of Staff, and shall provide espionage and counterintelligence support to military operations.

b. Espionage and counterintelligence operations which, because of some exceptional political, diplomatic or other implication, are conducted independently by the Central Intelligence Agency, shall be coordinated by the Director of Central Intelligence with the Joint Chiefs of Staff and, as appropriate, with the Secretary of State.

c. The Joint Chiefs of Staff and the Director of Central Intelligence shall establish general procedures for the coordination of liaison on clandestine activities between U. S. military commanders and foreign services that engage in such activities.

9. In addition to the above, the Director of Central Intelligence, in consultation with the Intelligence Advisory Committee and other interested departments and agencies shall:

a. Develop appropriate policy recommendations for National Security Council consideration with respect to the overall U. S. counterintelligence effort conducted outside the U. S. and its possessions;

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b. To the extent necessary to ensure conformity with policies approved by the National Security Council, provide for the coordination of all types of U. S. counterintelligence activities conducted abroad and for the coordination of such activities with those conducted by the departments and agencies responsible for domestic counterintelligence.

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DIRECTOR OF CENTRAL INTELLIGENCE DIRECTIVE NO. 5/1

COORDINATION OF THE FOREIGN CLANDESTINE COLLECTION
ACTIVITIES OF THE ARMED SERVICES WITH THOSE OF THE
CENTRAL INTELLIGENCE AGENCY

(11 January 1955; SECRET)

Pursuant to the provisions of the National Security Act of 1947, as amended, and for the purpose of defining under NSCID No. 5, those clandestine collection activities which the Armed Services conduct in order to carry out their responsibilities and assigned missions, and to protect the security of their foreign based military commands or installations, and for the purpose of coordinating such activities with those of the Central Intelligence Agency (except in areas where United States armed forces are engaged in active combat operations, in which event the provisions of paragraph 10 of NSCID No. 5 shall be deemed applicable), the following is established:

1. Where United States military commands or installations are located outside of the United States and its possessions, the commanders thereof may conduct such foreign clandestine collection activities as they deem essential to the execution of their assigned missions, in accordance with the principles and procedures set forth hereinafter.

2. Review and coordination of plans for the clandestine collection activities of the Armed Services and plans of the Central Intelligence Agency for the clandestine collection of information of interest to the Armed Services will be accomplished with each service to the extent practicable at the national level.

3. In order to assure field coordination of clandestine collection activities, the designated representatives of the military commanders concerned and of the Director of Central Intelligence will review together all such activities of those military commanders, as well as the operational plans and procedures therefor. They will also review together those clandestine collection activities of the Central Intelligence Agency which are undertaken in direct support of the military commanders concerned. Coordination may involve the creation and utilization of common support facilities, the exchange of operational information, and the establishment of informal committees.*

4. In the event that the designated representative of the Director of Central Intelligence considers an activity, plan, or agent to be potentially harmful to the over-all clandestine effort, the proposed action will not be carried out except as provided in paragraph 5 below, without prior approval resulting from agreement between the appropriate military service intelligence chief and the Director of Central Intelligence.

* Upon the issuance of this Directive, a systematic review and adjustment, where necessary, of going operations will be made in the field in conformity with the provisions of this Directive.

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5. In those instances when the military commander considers the action proposed in paragraph 4 above to be essential to the immediate conduct of his mission or critical to the security of his forces, and time does not permit referral of the issue to Washington, the action may proceed on the responsibility of the military commander, pending resolution in Washington. The military commander will inform the designated representative of the Director of Central Intelligence as to his action.

ALLEN W. DULLES
Director of Central Intelligence

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Revision of July Draft
12 December 1957

NATIONAL SECURITY COUNCIL INTELLIGENCE DIRECTIVE NO. 5

U. S. ESPIONAGE AND COUNTERINTELLIGENCE ACTIVITIES ABROAD

Pursuant to the provisions of Section 102(4) of the National Security Act of 1947, as amended, the National Security Council hereby authorizes and directs that:

1. For the purpose of this directive:

a. Espionage is defined as that intelligence activity which is directed toward the acquisition of information through clandestine operations against a foreign power.

b. Counterintelligence is defined as that intelligence activity, with its resultant product, which is devoted to destroying the effectiveness of inimical foreign intelligence activities and which is undertaken to protect the security of the nation, and its personnel, information and installations abroad, against espionage, sabotage, and subversion. Counterintelligence includes the process of procuring, developing, recording, and disseminating information concerning hostile clandestine activity and of penetrating, manipulating, or repressing individuals, groups, or organizations conducting or capable of conducting such activity.

2. To ensure centralized direction through prior, comprehensive and continuing coordination of all clandestine activities authorized herein, the Director of Central Intelligence shall:

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a. Establish, in consultation with the Intelligence Advisory Committee, the procedures necessary to achieve such direction and coordination;

b. Coordinate all clandestine activities authorized herein and conducted outside the U. S. and its possessions, including liaison which concerns clandestine activities or which involves foreign clandestine services, except when the provisions of paragraph 8 apply; also coordinate clandestine activities with overt collection abroad;

c. Invite Departments and Agencies not permanent members of the Intelligence Advisory Committee which have clandestine counterintelligence responsibilities abroad to participate in the Intelligence Advisory Committee deliberations when clandestine counterintelligence matters affecting such responsibilities are under consideration;

d. Make mutually agreeable arrangements with other departments and agencies for such cover support as may be needed by the Central Intelligence Agency and coordinate the arrangements for cover support required by any other department or agency to carry out the clandestine activities authorized in paragraph 4. below, except when such cover is to be provided unilaterally and without utilizing the facilities or becoming identified with other departments or agencies of the government or non-governmental organizations.

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3. The Central Intelligence Agency has primary responsibility for all U. S. clandestine activities. Subject to the provisions of paragraph 3, it is responsible for the following services of common concern:

a. The conduct of espionage outside the United States and its possessions in order to meet the intelligence needs of all Departments and Agencies concerned, in connection with the national security;

b. The conduct of clandestine counterintelligence outside the United States and its possessions;

c. The conduct of liaison with foreign clandestine services or concerning the above clandestine activities with foreign intelligence or security services.

d. The maintenance for the benefit of the intelligence community of central indexes and records of foreign counterintelligence information. All Departments and agencies shall contribute to this index, on a continuing basis, such material collected by them as is appropriate for a central file.

e. Upon request and to the extent practicable, assisting other departments and agencies in connection with their cover support needs.

4. Subject to the provisions of paragraph 2 above, other Departments and Agencies with commands or installations located outside the U. S. and its possessions may:

a. Conduct supplementary espionage in order to satisfy departmental intelligence needs;

b. Conduct clandestine counterintelligence activities necessary for the security of their personnel, commands, activities and installations;

c. Conduct liaison with foreign clandestine services or concerning the above clandestine activities with foreign intelligence or security services.

5. Departments and Agencies shall assist the Central Intelligence Agency in its conduct of espionage by providing guidance in the form of continuous, timely and specific collection requirements and, as required, assessments of the information collected. Departments and Agencies shall provide similar support to each other as required.

6. In a foreign area, except where paragraph 6 applies, the Director of Central Intelligence shall, after consultation with the Secretary of State, insure that the senior U. S. representative, or his designated representative, is appropriately advised of U. S. espionage and clandestine counterintelligence activities conducted in or from the area.

7. In a foreign area where major U. S. military commands are stationed, the designated representative of the Director of Central Intelligence shall keep the senior U. S. military commanders, or their designated representatives, appropriately informed of the espionage and clandestine counterintelligence activities and operations, conducted by the Central Intelligence Agency in or from such an area, including any liaison relationships between CIA and foreign military establishments.

8. In active theaters of war where U. S. forces are engaged, or when the President so directs:

a. Except as provided in sub-paragraph b. below, the entire Central Intelligence Agency organization conducting espionage and clandestine counterintelligence operations in or from a theater shall as a component force be under the direct command of the U. S. Theater

Commander in accordance with agreements separately reached between the Director of Central Intelligence and the Joint Chiefs of Staff, and shall provide espionage and counterintelligence support to military operations.

b. Espionage and counterintelligence operations which, because of some exceptional political, diplomatic or other implication, are conducted independently by the Central Intelligence Agency, shall be coordinated by the Director of Central Intelligence with the Joint Chiefs of Staff and, as appropriate, with the Secretary of State.

c. The Director of Central Intelligence and the Joint Chiefs of Staff shall establish procedures for the coordination of liaison on clandestine activities between U. S. military commanders and foreign services that engage in such activities.

9. In addition to the above, the Director of Central Intelligence, in consultation with the Intelligence Advisory Committee and other interested departments and agencies shall:

a. Develop appropriate policy recommendations for National Security Council consideration with respect to the overall U. S. counterintelligence effort conducted outside the U. S. and its possessions;

b. To the extent necessary to ensure conformity with policies approved by the National Security Council, provide for the coordination of all types of U. S. counterintelligence activities conducted abroad and for the coordination of such activities with those conducted by the departments and agencies responsible for domestic counterintelligence.

DDI PROPOSED CHANGE TO CIA DRAFT NSCID NO. 5
DATED 14 OCTOBER 1957

MILITARY COMMAND AUTHORITY IN AN ACTIVE THEATER OF WAR:

Paragraph 8: Change to read:

"In active theaters of war where U. S. forces are engaged or when the President so directs, [representatives] of the Director of Central Intelligence conducting espionage or clandestine counterintelligence operations in or from the theater shall be under the direct command of the United States theater commander in accordance with the terms of [the Command Relationships Agreement] separately reached] between the Director of Central Intelligence and the Joint Chiefs of Staff."

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Revision 9 July Draft
14 October 1957

NATIONAL SECURITY COUNCIL INTELLIGENCE DIRECTIVE NO. 5

U. S. ESPIONAGE AND COUNTER-INTELLIGENCE ACTIVITIES ABROAD

Pursuant to the provisions of Section 102(d) of the National Security Act of 1947, as amended, the National Security Council hereby authorizes and directs that:

1. For the purpose of this directive:

a. Espionage is defined as those clandestine activities which are directed toward the acquisition of information through intelligence operations against a foreign power.

b. Counterintelligence is defined as that intelligence activity, with its resultant product, which is devoted to destroying the effectiveness of inimical foreign intelligence activities and which is undertaken to protect the security of the nation, and its personnel, information and installations abroad, against espionage, sabotage, and subversion. Counterintelligence includes the process of procuring, developing, recording, and disseminating information concerning hostile clandestine activity and of penetrating, manipulating, or repressing individuals, groups, or organizations conducting or capable of conducting such activity.

2. To ensure centralized direction through prior, comprehensive and continuing coordination of all clandestine activities authorized herein, the Director of Central Intelligence shall:

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a. Establish, in consultation with the Intelligence Advisory Committee, the procedures necessary to achieve such direction and coordination;

b. Coordinate all clandestine activities authorized herein and conducted outside the U. S. and its possessions, including liaison which concerns clandestine activities or which involves foreign clandestine services, except when the provisions of paragraph 8 apply; also coordinate clandestine activities with overt collection abroad;

c. Invite Departments and Agencies not permanent members of the Intelligence Advisory Committee which have clandestine counterintelligence responsibilities abroad to participate in the Intelligence Advisory Committee deliberations when clandestine counterintelligence matters affecting such responsibilities are under consideration;

d. Make mutually agreeable arrangements with Departments and Agencies for such cover support as may be needed by the Central Intelligence Agency, and coordinate arrangements for such cover support as may be required by other Departments and Agencies to carry out the clandestine activities authorized in paragraph 4 below. Arrangements for cover involving the military services or any component of the Department of Defense will be made in accordance with the procedures established by the Secretary of Defense.

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3. The Central Intelligence Agency is the national clandestine service of the United States and has primary responsibility, subject to the provisions of paragraph 8, for the following services of common concern:

a. The conduct of espionage outside the United States and its possessions in order to meet the intelligence needs of all Departments and Agencies concerned, in connection with the national security;

b. The conduct of clandestine counterintelligence outside the United States and its possessions;

c. The conduct of liaison with foreign clandestine services or concerning the above clandestine activities with foreign intelligence or security services.

d. The maintenance for the benefit of the intelligence community of central indexes and records of foreign counterintelligence information to which all Departments and Agencies shall contribute on a continuing basis all pertinent material collected by them.

4. Subject to the provisions of paragraph 2 above, other Departments and Agencies with commands or installations located outside the U. S. and its possessions may:

a. Conduct additional espionage in order to satisfy departmental intelligence needs;

b. Conduct clandestine counterintelligence activities

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necessary for the security of their personnel, commands, activities and installations;

c. Conduct liaison with foreign clandestine services or concerning the above clandestine activities with foreign intelligence or security services.

5. Departments and Agencies shall assist the Central Intelligence Agency in its conduct of espionage by providing guidance in the form of continuous, timely and specific collection requirements and, as required, assessments of the information collected. They shall provide similar support to each other as required.

6. In a foreign area, except where paragraph 8 applies, the Director of Central Intelligence shall, after consultation with the Secretary of State, insure that the senior U. S. representative, or his designated representative, is appropriately advised of U. S. espionage and clandestine counterintelligence activities conducted in or from the area.

7. In foreign areas where major U. S. military commands are stationed, the designated representatives of the Director of Central Intelligence shall keep the senior U. S. military commanders, or their designated representatives, appropriately informed of the espionage and clandestine counterintelligence operations, conducted by the Central Intelligence Agency in or from such areas, which significantly effect the missions of such commanders.

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8. In active theaters of war where U. S. forces are engaged, or when the President so directs:

*a. The entire Central Intelligence Agency organization assigned by the Director of Central Intelligence to a commander of a command established by the Joint Chiefs of Staff shall be established as a CIA Force and, through the CIA Commander thereof, shall provide espionage and counterintelligence support to military operations.

b. Espionage and counterintelligence operations which, because of some exceptional political, diplomatic or other implication, are conducted independently by the Central Intelligence Agency, shall be coordinated by the Director of Central Intelligence with the Joint Chiefs of Staff and, as appropriate, with the Secretary of State.

c. The Director of Central Intelligence and the Joint Chiefs of Staff shall establish procedures for the coordination of liaison on clandestine activities between U. S. military commanders and foreign services that engage in such activities.

9. In addition to the above, the Director of Central Intelligence, in consultation with the Intelligence Advisory Committee and other interested Departments and Agencies as provided in paragraph 2c above shall:

*Detailed arrangements concerning the command relationships between the CIA organization and the Armed Forces in active theaters of war where American forces are engaged are established by agreement between the Director of Central Intelligence and the Joint Chiefs of Staff.

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a. Provide for coordination of all U. S. counterintelligence activities abroad and for the coordination of such activities with the Departments and Agencies responsible for domestic counterintelligence, to the extent necessary to ensure conformity with policies enunciated by the National Security Council;

b. Take such other action as may be deemed necessary to promote the overall effectiveness of the U. S. counterintelligence effort abroad.

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