

By: Registry
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THE WHITE HOUSE
WASHINGTON

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OAG file

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July 19, 1976

MEMORANDUM FOR

THE SECRETARY OF STATE
THE SECRETARY OF DEFENSE
THE CHAIRMAN, JOINT CHIEFS OF STAFF
THE DIRECTOR OF CENTRAL INTELLIGENCE

SUBJECT: OAG Guidelines

Attached are the Guidelines for the conduct of OAG business. If after a suitable trial period the Guidelines are found to be lacking in some significant respect, appropriate modifications will be made.

Brent Scowcroft
Brent Scowcroft

Attachment

cc: Attorney General
Director, Office of Management
and Budget

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NSC review(s) completed.

Executive Order 11905 of 18 February 1976 provides:

Membership: The Assistant to the President for National Security Affairs
(Designated Chairman by the President)

The Secretary of State

The Secretary of Defense

The Chairman of the Joint Chiefs of Staff

The Director of Central Intelligence

Observers: The Attorney General

The Director of the Office of Management and Budget

Responsibilities:

1. "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."
2. "Conduct periodic reviews of programs previously considered by the Operations Group."
3. "Give approval for specific sensitive intelligence collection operations as designated by the Operations Group."
4. "Conduct periodic reviews of ongoing sensitive intelligence collection operations."

Procedures: Responsibilities 1 and 3 above are to be discharged "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."

Support: NSC Staff (Office of Director for Intelligence Coordination)

CHAIRMAN'S
GUIDELINES FOR OPERATIONS ADVISORY GROUP (OAG)

1. Attendance:

- a. The President expects members and observers to attend meetings. A member or observer will be represented by a designated senior representative only if authorized by the Chairman.
- b. With the exception of executive principals-only sessions, members may be accompanied by senior aides who will attend only while the subjects for which their assistance is deemed essential are being discussed.

2. Jurisdiction:

a. Special Activities

- (1) Operations subject to OAG review shall include those for which certification (a Presidential Finding) by the President as "important to the national security of the United States" is required by Section 662(a) of the Foreign Assistance Act of 1961, as Amended, or similar operations conducted by agencies other than CIA.
- (2) In accordance with Responsibility Number 1, new initiatives and significant changes (in terms of money or political impact or operational direction) in previously approved special activities will be submitted to the OAG as proposals and will

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be considered in a formal meeting. The OAG's policy recommendation, including any dissents, will be submitted to the President prior to his decision.

b. Sensitive Intelligence Collection Operations

- (1) OAG advance approval is required for all missions conducted by the National Underwater Reconnaissance Program. In accordance with Responsibility Number 3, these missions will be approved only after consideration in a formal meeting. The Chairman or the OAG may designate other sensitive intelligence collection operations to be included in this category.
- (2) OAG advance approval is required for specified ongoing sensitive intelligence collection operations reviewed periodically in accordance with Responsibility Number 4. These include the monthly schedules submitted by the Joint Reconnaissance Center (composed of airborne, surface and subsurface sensitive collection operations), and the National Reconnaissance Office. These monthly schedules will be distributed to all members and their votes registered with the OAG Executive Secretary, who will report them to the Chairman for final action.

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(3) The Director of Central Intelligence will insure that the OAG periodically reviews any other sensitive intelligence collection operations which he deems are of unusual political or operational risk. This category includes operations which the DCI cites in his periodic briefings of the oversight committees of the Congress, and those human source intelligence collection efforts which in his judgment could result in unusual embarrassment to the U. S. Government should they be exposed. The Chairman or the OAG may designate specific collection programs or operations to be included in this category. Appropriate provisions will be taken by the OAG to insure protection of intelligence sources and methods from unauthorized disclosure, and that the program's implications for U. S. relations with the country in which it is being conducted are properly assessed.

c. Reviews

(1) CIA will submit reports to the OAG on its special activities for consideration at the NSC semi-annual reviews of foreign intelligence activities. The Department of Defense will submit similar reports on its activities which are under the jurisdiction of the OAG. The Executive Secretary will provide specific guidance on the content and format of these reports as well as due dates for OAG review. In general, these semi-annual

reports will be broad-based and highlight significant problems and issues.

- (2) In addition, the OAG will receive from CIA and the Department of Defense annual consolidated reports on all on-going activities and programs under their jurisdiction. These reports will include specific performance data on all continuing special activities, sensitive intelligence collection activities, and other operations and programs under the OAG's jurisdiction. These reports will constitute the vehicle for an annual periodic review and their acceptance by the OAG will constitute authority for continuing approved activities. The Executive Secretary will provide guidance on specific format and due dates.

3. Working Group:

- a. An OAG Working Group will be established under the chairmanship of the Deputy Assistant to the President for National Security Affairs. (In his absence the NSC Director for Intelligence Coordination will chair the Working Group.) Each OAG member will designate a senior official to represent him as a member of the Working Group. OAG observers may be represented at Working Group meetings, if they so desire.

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- b. The OAG Working Group will not be a decision-making body.
It will meet at the call of its chairman to review proposals, reports and other presentations prior to their consideration by the OAG.
In addition, the OAG Working Group will constitute a forum to consider international situations for which special activities or sensitive intelligence collection operations might be appropriate, as well as to consider the level of capabilities needed to support such special activities and sensitive collection operations.
- c. A member or observer may request the OAG Working Group to consider any topic which he feels needs interagency coordination and review prior to its consideration by the OAG, including the review of on-going sensitive intelligence collection operations and special activities, or consideration of possible new initiatives.
- d. The OAG Executive Secretary will insure that members and observers are advised of scheduled meetings of the OAG Working Group, topics to be considered, and that they receive copies of any papers distributed. The stipulations governing OAG records (see paragraph 5, below) will also apply to the Working Group.

4. Proposals:

- a. Proposals to be considered at an OAG meeting will be distributed to members and observers if at all possible at least 48 hours in advance of the meeting.

- b. Proposals for special activities to be recommended to the President and proposals for approval by OAG of sensitive intelligence collection operations shall include:
- (1) A brief opening summary paragraph;
 - (2) Succinct outline of the proposal and the need or justification for the proposal;
 - (3) Statement and analysis of expenditures required;
 - (4) Statement of alternatives, risks, and previous coordination in developing the proposal (including OAG Working Group consideration);
 - (5) If proposal involves a special activity, references to all OAG and Presidential documents or records of each operation previously approved by the President that is related to, or will be changed or expanded by, the proposed special activity; and
 - (6) If proposal involves a special activity, believed not to require an additional finding or reports under Section 662 of the Foreign Assistance Act of 1961, as Amended, a statement of the reasons.
 - (7) A statement of whether the proposal if adopted should be followed by consultations with members of Congress or reports to committees of Congress other than under Section 662 of said Act and the extent and nature of such consultations or reports.

- c. The original and six copies of each proposal will be sent to the OAG Executive Secretary for distribution to members and observers. The OAG Executive Secretary will forward the copies to the point of contact designated by each member and observer. (See Attachment A for a list of the points of contact for distribution of proposals and other OAG papers.)
- d. If a special activity is to be recommended to the President, the recommendation shall include a copy of the proposal and the dissents and comments of OAG members and observers, and in the absence of a statement under subparagraph (6) of paragraph 4. b. acceptable to the Attorney General, the recommendation shall also include:
- (1) A statement on which the President may base a finding that the operation recommended is important to the national security of the United States;
 - (2) A description and scope of the operation (including in every appropriate case a statement of the necessity for activities and expenditures to effectuate an orderly and safe withdrawal from the operation if circumstances should require its termination or substantial curtailment) as found by the President to be important to the national security, which is to be the basis of reports to the appropriate committees of the Congress; and

(3) A form for the President to sign if he accepts the recommendation, which shall include the required finding, cite the documents reviewed by the President, and delegate to the Director of Central Intelligence the authority and responsibility to make the required reports in a timely fashion to the appropriate committees of the Congress with a direction that the Director provide to the President and OAG a record of the time, manner and content of each report made (including the time and nature of each offer or attempt to report which may have preceded the actual report) and the reactions or responses received.

5. Records:

- a. The office of the Executive Secretary is the OAG office of record. All formal and official queries (Congressional, judicial, press, declassification, Freedom of Information, etc.) relating to OAG affairs and materials will be directed to the OAG Executive Secretary. Under no circumstances will members or observers or their staffs release OAG documents outside their organization without prior written approval from the Chairman of the OAG.
- b. Members and observers may temporarily retain OAG documents to meet their current needs and will return such documents to the OAG Executive Secretary when they are no longer required. The OAG Executive Secretary will respond on a timely basis to the request for any information pertaining to documents he maintains.

c. To insure appropriate security, the following special security controls will be required for all OAG documents temporarily retained by members and observers:

- (1) Staff access will be on a strict need-to-know basis and appropriate controls will be maintained.
- (2) No historical files on completed special activities will be maintained, except for the files of the organization charged with operational responsibility.
- (3) All security records and OAG documents will be subject to immediate review upon request by the Executive Secretary.

6. Reporting:

The executive agent for each special activity or sensitive intelligence collection operation reviewed or approved by the OAG must inform the OAG promptly of:

- a. Significant or major changes in the operations, and
- b. Any untoward incident, security problem, or potential "headline" event connected with it.

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POINTS OF CONTACT FOR OAG MEMBERS AND OBSERVERS

Members:

The Assistant to the President for National Security Affairs, Chairman

Rob Roy Ratliff
Executive Secretary, OAG
Room 300-1/2
Old Executive Office Building

Phone: 395-3334
Secure: White House

The Secretary of State

William McAfee
INR/DDC
Room 6635
Department of State

Phone: 632-1504
Secure: 5211

The Secretary of Defense

Rear Admiral M. Staser Holcomb
Office of The Secretary of Defense
Room 3 E 880
The Pentagon

Phone: 695-5261
Secure: 2236

The Chairman of the Joint Chiefs of Staff

Amos C. Good
Office of The Chairman of the
Joint Chiefs of Staff
Room 2 E 865
The Pentagon

Phone: 695-6124
Secure: 2172

The Director of Central Intelligence

B. C. Evans
Office of the Director
Room 7-D-60
Central Intelligence Agency



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Observers:

The Attorney General

Douglas Marvin

Office of The Attorney General

Room 5111

Department of Justice

Phone: 739-3892

Secure: 2248

The Director of the

Office of Management and Budget

Donald G. Ogilvie

Office of Management and Budget

Room 246

Old Executive Office Building

Phone: 395-3864

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EXECUTIVE SECRETARIAT
Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	D/DCI/IC		X		
4	S/MC				
5	DDS&T		X		
6	DDI		X		
7	DDA		X		
8	DDO		X		
9	D/DCI/NIO		X		
10	GC		X		
11	LC		X		
12	IG		X		
13	Compt		X		
14	D/Pers				
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16	DTR				
17	Asst/DCI				
18	AO/DCI				
19	C/IPS				
20	ES		X		
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Remarks:

For information and appropriate action.

Executive Secretary
19 Jul 76