

~~SECRET~~

500022

29 August 1950

MEMORANDUM FOR THE RECORD

Set forth below is a brief statement of some of the more pressing problems presently facing the Central Intelligence Agency. These are the subject of extensive studies within the Agency and are voluminously documented in Agency files.

Appended hereto are certain documents which most clearly illustrate the issues involved and which indicate measures which would be basic steps in the solution thereof. These documents are identified in a list of tabs at the end of this paper.

1. Coordination of Activities.

Difficulties in coordinating the intelligence activities of the Government, and of performing other functions imposed upon CIA by law, result from existing National Security Council directives which impose upon CIA the board of directors mechanism of the Intelligence Advisory Committee (IAC) in the following manner:

This document has been approved for release through the HISTORICAL REVIEW PROGRAM of the Central Intelligence Agency.

Date 14 Jun 91

HRP 89-2

REF ID: A6499

~~SECRET~~

~~SECRET~~

- 2 -

a. They require that recommendations and advice of the Director of Central Intelligence (DCI) to the National Security Council (NSC) must contain the concurrence or non-concurrence of the IAC;

b. They enable the IAC to assert the position that they are not merely advisory to the DCI, but are actually a board of directors, of which the DCI is but the executive secretary, i.e. one among equals;

c. Therefore the recommendations which go forward to the NSC are not CIA recommendations as contemplated by the law, but actually are watered-down compromises, replete with loop-holes, in an attempt to secure complete IAC support.

2. Intelligence Support for Production of Estimates.

Difficulties are encountered by CIA in producing adequate intelligence estimates, due to the refusal of the IAC agencies to honor CIA requests for necessary intelligence information, departmental intelligence, or collection action:

a. Information has been withheld from CIA by IAC agencies on the basis that it is "operational" rather than "intelligence information" and therefore not available to CIA; that it is "eyes only" information or on a highly limited dissemination basis; or that it is handled under special security provisions which by-pass CIA;

b. CIA is not empowered to enforce its collection requests on IAC agencies, or establish priorities;

c. There is a failure of spontaneous dissemination of certain material to CIA;

d. IAC agencies continue to cite the so-called "Third Agency Rule" as a basis for refusing to give intelligence to CIA.

3. Production and Dissemination of Estimates.

The furnishing of adequate national intelligence estimates

~~SECRET~~

to the President, the NSC, and other appropriate recipients is hampered by the lack of complete material, (as set forth in paragraph 3, above), and by present procedures which require concurrence or substantial dissent to each estimate from the IAC agencies, but make no provision for setting time limits thereon:

a. Departmental agencies of the IAC cannot concur in intelligence estimates which conflict with agency substantive policy; nor can they free themselves from departmental bias or budgetary interests;

b. Coordination of CIA estimates often takes months, with the result a compromise position;

c. Departmental dissents to CIA estimates are frequently unsubstantial, quibbling or reflective of departmental policy.

4. Special Problems.

a. The IAC agencies resist the grant of authority to CIA to issue directives affecting the intelligence field in general and their activities or priorities in particular on the ground that it would violate the concept of command channels;

b. The status of CIA in relation to the President and the NSC must be redefined and clarified;

c. The relationships between CIA on the one hand, and the Department of Justice -- particularly the FBI, on the other, especially in connection with the defector problem, must be improved and clarified.

d. Difficulties imposed by NSC directives in the field of unconventional warfare must be eliminated, particularly the policy control over CIA granted to the Departments of State and Defense. The separation of clandestine operations into two offices within CIA creates serious problems of efficiency, efficacy and, above all, security;

e. There is a failure of coordination of overt intelligence collection in the field, due in part to competition among the departments in the field, but also to lack of positive planning and

~~SECRET~~

- 4 -

action by CIA. This results in unnecessary duplication and overlaps, and the initial withholding of choice material. It is becoming necessary for CIA to take a strong position in the field of overt collection abroad.

5. Nuclear Energy and Other Special Intelligence Subjects.

Each has its own but related problems.

6. Relationship Between JCS and CIA in the Event of War.

This is an unresolved problem which has been the subject of considerable discussion, one aspect of which is covered by Tabs F and G attached. It may of course require urgent consideration at any time.

7. Conclusion.

Solution of the above problems lies in a grant of adequate authority to the DCI and CIA, and use of that authority to achieve the necessary coordination by direction rather than placing reliance in a spirit of cooperation and good will.

~~SECRET~~

~~SECRET~~

INDEX OF TABS

- Tab A - CIA proposed revision of NSCID #1. This directive is believed by CIA to be necessary to give the Director the authority needed for exercise of his responsibilities. It has been forwarded to State for discussion, but no further action has been taken on it.
- Tab B - Proposed "Memorandum to the National Security Council," which elaborates paragraphs 1-3 set forth in the memorandum above. This was prepared several months ago as an introduction to CIA's proposed revision of NSCID #1, included herewith under Tab A.
- Tab C - National Security Council Intelligence Directive (NSCID) #1, under which CIA presently operates.
- Tab D - Memorandum entitled "Legal Responsibilities of the Central Intelligence Agency", which emphasizes particularly Congressional intent in regard to the national intelligence mission.
- Tab E - Current State/Defense proposals for reorganization of intelligence production within CIA. A compromise version of this paper is still under discussion.
- Tab E/1 - Compromise now urged by State/Defense thru Gen. Magruder.
- Tab F - Joint Intelligence Committee report on war time status and responsibilities of CIA and its field agencies (JIC 445/1, 12 July 1950). This indicates an intention on the part of the JIC to have JCS take over control of all covert activities in the event of war.
- Tab G - Memorandum for Brig. Gen. John Magruder, dated 16 August 1950, setting forth CIA's position on its war time relations to the Joint Chiefs. This memorandum was originally drafted for dispatch to the Secretary of Defense and was actually dispatched to General Magruder.

~~SECRET~~

~~SECRET~~

25 July 1950

NATIONAL SECURITY COUNCIL INTELLIGENCE DIRECTIVE

A

Pursuant to the provisions of Section 102 of the National Security Act of 1947, as amended, and for the purposes enunciated in paragraphs (d) and (e) thereof, the National Security Council hereby authorizes and directs that the following policies, duties and responsibilities will govern the conduct of United States intelligence activities in the interest of national security. The recommendations of the Central Intelligence Agency, required by Section 102 (d) (2), on matters concerning such intelligence activities of the Government departments and agencies as relate to national security, will, when approved by the National Security Council, issue as amendments or supplements to this Directive.

I. Jurisdiction

1. The jurisdiction of the Central Intelligence Agency embraces all intelligence activities of the Government relating to the national security. The Central Intelligence Agency shall have no police, subpoena, or law enforcement powers, or internal security functions.

~~SECRET~~

~~SECRET~~

-2-

II. The Director of Central Intelligence and the Central Intelligence Agency

1. The Director of Central Intelligence shall function within his jurisdiction as the intelligence officer of the National Security Council and as its executive agent for the purpose of coordinating the intelligence activities of the several departments and agencies of the Government.

2. The necessary authority is hereby delegated by the members of the National Security Council to the Director of Central Intelligence, so that his decisions, orders and directives concerning the intelligence activities of the Government shall be considered as emanating from them, in their executive capacity, and shall have full force and effect as such, provided that any agency shall have access, through appropriate channels, to the National Security Council, in connection with such directives.

3. The Director of Central Intelligence or representatives designated by him shall make such surveys and inspections of departmental intelligence activities and facilities of the various departments and agencies of the Government as he may deem necessary in connection with his duty to advise the National Security Council and to make recommendations for or to bring about the coordination or improvement of intelligence activities. This authority is subject to the provisions of Section 102 (e) of the National Security Act of 1947, as amended, regarding the Federal Bureau of Investigation.

~~SECRET~~

~~SECRET~~

-3-

4. The Central Intelligence Agency shall function under the Director of Central Intelligence as the intelligence facility of the President of the United States and the National Security Council.

5. The Director of Central Intelligence shall be responsible for the protection of intelligence sources and methods from unauthorized disclosure.

III. Coordination of Intelligence Activities

1. Coordination of intelligence activities by the Central Intelligence Agency shall be designed primarily to strengthen the entire governmental intelligence structure and to achieve a fully integrated United States intelligence effort in objective support of policy planning, strategic planning, and operational decisions at all appropriate levels within the Government. A fully integrated intelligence effort is considered to mean that:

a. the intelligence production effort of the Central Intelligence Agency and the departmental intelligence agencies is continuously oriented toward the requirements of United States national security interests and objectives.

b. the intelligence collection and source exploitation effort of the Central Intelligence Agency and the other

~~SECRET~~

~~SECRET~~

-4-

intelligence agencies effectively meets the requirements and priorities of the intelligence production effort.

c. all categories of intelligence requirements bearing on the national security are specifically identified and defined and the responsibilities for collection and production are appropriately allocated throughout the governmental intelligence structure.

d. the interchange of intelligence, intelligence information, and other information which has utility for intelligence purposes is effected between the Central Intelligence Agency and the other intelligence agencies under appropriate security provisions prescribed by the Director of Central Intelligence.

2. The Central Intelligence Agency shall be responsible for the coordination of intelligence activities to meet the foregoing objectives.

3. In accordance with Section 303 of the National Security Act of 1947, as amended, the Director of Central Intelligence may appoint such advisory committees and employ such part-time advisory personnel as he may deem necessary in carrying out the functions of the Agency.

~~SECRET~~

~~SECRET~~

-5-

IV. Production and Dissemination of Intelligence by the Central Intelligence Agency

1. National intelligence is that intelligence needed at the appropriate levels of the Government in the formulation and execution of national policies. National Intelligence shall be produced only by the Central Intelligence Agency, and shall be produced primarily for the President and the National Security Council, and for other departments and agencies of the Government as appropriate. In the production of National Intelligence, the Central Intelligence Agency may draw upon and review the intelligence production of the departmental intelligence agencies. The Director of Central Intelligence will not be bound by any concept of collective responsibility in the production of National Intelligence, as he has the direct and sole responsibility for such production.

2. The Central Intelligence Agency shall also produce intelligence not otherwise available which is required to support the Central Intelligence Agency production and operations as well as those of other appropriate governmental agencies.

3. Normally the Central Intelligence Agency will, prior to publication for general dissemination, request the appropriate departmental intelligence agencies to examine Central Intelligence Agency reports and estimates for the purpose of ascertaining departmental views on aspects which are related to their respective

~~SECRET~~

~~SECRET~~

-6-

individual departmental or agency intelligence interests. Intelligence so examined shall carry a statement of agency concurrence therein, or a comment which sets forth the substantial points of difference; provided, that delays in the receipt by the Central Intelligence Agency of such comments shall not bar the timely dissemination of national intelligence.

4. The Central Intelligence Agency shall disseminate intelligence and information in its possession to the President, members of the National Security Council and to other departments and agencies of the Government, whenever such dissemination is appropriate to their functions relating to the national security. Such dissemination shall be made under security regulations and procedures established by the Director of Central Intelligence.

5. The Director of Central Intelligence may exchange intelligence and intelligence information with appropriate representatives of foreign governments in accordance with established policies.

V. Additional Responsibilities of the Central Intelligence Agency

1. The Central Intelligence Agency shall perform, for the benefit of the intelligence organizations of the Government, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

~~SECRET~~

~~SECRET~~

-7-

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

2. The Director of Central Intelligence may make arrangements with the respective departments and agencies to assign to the Central Intelligence Agency such experienced and qualified officers and members as may be of advantage for advisory, operational, or other purposes, in addition to such personnel as the Director of Central Intelligence may directly employ. In each case, such departmental personnel will be subject to the necessary personnel procedures of the Central Intelligence Agency and the department concerned. Such personnel must be acceptable to the Central Intelligence Agency and responsible solely to the Director of Central Intelligence during the period of their assignment.

VI. Responsibilities of Governmental Departments and Agencies to the Central Intelligence Agency

1. Subject to the special proviso of Section 102(e) of the National Security Act of 1947, as amended, regarding the Federal Bureau of Investigation, all departments and agencies of the Government shall make available to the Central Intelligence Agency all intelligence, intelligence information and other information which has utility for intelligence purposes in their possession. Such

~~SECRET~~

~~SECRET~~

-8-

material shall be made available to the Central Intelligence Agency regardless of its source. To this end, the so-called "Third Agency Rule", which provides that classified information originating in one agency shall not be disseminated outside the receiving agency without the consent of the originating agency, is specifically abrogated insofar as the Central Intelligence Agency is concerned.

2. Each of the departments and agencies of the Government shall maintain with the Central Intelligence Agency and with each other, as appropriate to their respective responsibilities, a continuing interchange of intelligence information and intelligence available to them. "Operational" information and scientific, technological, diplomatic, and other information which has utility for intelligence purposes is included in this directive, as well as information available only under special security handling restrictions. The flow of such material shall be immediate, spontaneous and comprehensive. n

3. In cases where the originating agency requests that special security considerations govern the dissemination of specific material to third agencies, such requests will be given the maximum consideration by the Central Intelligence Agency and shall be complied with to the maximum extent which the Director of Central Intelligence shall determine is compatible with the national security. p

~~SECRET~~

~~SECRET~~

-9-

4. The departments and agencies of the Government shall provide, produce or collect such intelligence and information in their fields or primary responsibility as the Central Intelligence Agency may request for its use or for that of one of the other departments or agencies. Upon determination by the Central Intelligence Agency that any department or agency so requested does not have the capability to fulfill such a request, the Central Intelligence Agency shall take direct action to meet its needs. Within the limits of their capabilities, the departments and agencies shall provide, produce or collect such additional intelligence and information in other fields as may be requested by the Central Intelligence Agency.

5. In order that the Central Intelligence Agency may adequately discharge its responsibilities to the President and the National Security Council, timely departmental action in meeting Central Intelligence Agency commitments and deadlines is imperative. Upon specific request of the Director of Central Intelligence, first priority shall be given by each department or agency to his requirements for collection, production, and the comments on Central Intelligence Agency reports and estimates.

~~SECRET~~

n
y
a
e
v
1

~~SECRET~~

MEMORANDUM FOR THE DIRECTOR OF CENTRAL INTELLIGENCE

Subject: Proposed Memorandum for the National
Security Council

1. Attached herewith is a draft of a proposed memorandum from the Director to the National Security Council, setting forth certain problems which make it difficult, if not impossible, for CIA to carry out the duties assigned to it by law and National Security Council Directives.

2. If this study goes forward, we recommend it be accompanied by proposed revisions of NSCID Nos. 1 and 3. We are working with COPS on drafts of such revisions.

3. We feel that the facts here stated can be fully supported by documentation now available. A final text could be interlined with detailed supporting information for presentation.

4. COPS has submitted a paper based largely on ideas here set forth, but as we prefer this version, we submit it for your consideration.

Lawrence R. Houston

Walter L. Pforzheimer

~~SECRET~~

B

~~SECRET~~

MEMORANDUM FOR THE NATIONAL SECURITY COUNCIL

I

General Problems.

When the Congress established the Central Intelligence Agency in the National Security Act of 1947, it was the intent of the Congress to place central responsibility for national intelligence on CIA and to assure the coordination of the intelligence activities of the several departments and agencies of the Government in the interest of our national security. To carry out this intent, the law assigned certain enumerated duties to the Central Intelligence Agency to be performed under the direction of the National Security Council.

We have been in operation for two years under this law and certain directives issued by the National Security Council pursuant thereto. It is our opinion that, under the current interpretations placed on the law and the existing implementing authorities, CIA is unable to fulfill its legal responsibilities and duties for reasons set forth below.

There are three broad areas in which CIA has been unable to fulfill what it believes to be its mission,

~~SECRET~~

~~SECRET~~

- 2 -

according to its interpretation of the intent of the Congress and the NSC. These are --

- (a) The coordination of the intelligence activities of the several Government departments and agencies in the interest of national security, and the full performance of certain duties imposed upon the Agency by law, because of the imposition upon CIA of the board of directors mechanism of the IAC;
- (b) The production, within CIA, of adequate intelligence estimates in the national interest, due to the refusal of the IAC agencies to honor CIA requests for necessary intelligence information, departmental intelligence, or collection action;
- (c) The furnishing of adequate national intelligence estimates to the President, the NSC, and other appropriate government officials --
 - (i) because of the lack of material noted in (b), above, and
 - (ii) because of the difficulties under present procedures in obtaining concurrence, substantial dissent and proper coordination from the IAC agencies for

~~SECRET~~

~~SECRET~~

- 3 -

CIA estimates, intelligence production,
and departmental contributions thereto.

II

The IAC Mechanism.

Sections 102 (d) (1) and (2) of the National Security Act assign to this Agency the duty to advise the NSC on such intelligence activities of the Government as relate to national security, and to make recommendations to the NSC for the coordination of these activities.

To make the views of the principal intelligence agencies of the Government available to the Director, the NSC established the Intelligence Advisory Committee to advise the Director in matters of intelligence coordination. So that IAC views would also be made known to the NSC, it was further directed that the DCI's recommendations and advice to the NSC should contain the concurrence or non-concurrence of the members of the IAC. However, the IAC members have taken the position that they are not advisory to the DCI, but are actually a board of directors, of which the DCI is but another member. They in effect suggest that the Director serve merely as the executive secretary of the IAC.

This concept of the IAC mechanism has resulted in the establishment of a Standing Committee to the IAC which

~~SECRET~~

~~SECRET~~

- 4 -

first considers any recommendations which the DCI or an IAC member proposes to make to the NSC. After the Standing Committee has reached agreement or non-agreement upon a given recommendation, the paper is brought before the IAC where, if necessary, a further attempt at unanimity of proposal is sought.

The board of directors principle thus results in unconscionable delays, modification of verbiage in and watered-down versions of CIA recommendations. The resulting compromises produce a final version replete with loopholes, escape clauses and equivocations. These broad, general and almost meaningless directives are then forwarded to the NSC for approval and issuance. In the majority of cases, therefore, the recommendations to the NSC are not in fact CIA recommendations as required by law, but are compromises reached at the IAC level in an attempt to secure the support of all the intelligence agencies.

It should be noted that the processes set forth above are subject to delays which run from weeks to months, and in some cases to years. By emasculation of any proposed strong directives, the IAC has been able to whittle away the clear intent of the Congress in establishing CIA.

It is felt that CIA will be in default of its statutory obligations if this situation is allowed to

~~SECRET~~

~~SECRET~~

- 5 -

continue. It is therefore proposed that NSCID No. 1 be revised to assure that CIA will advise the NSC objectively on matters concerning the intelligence activities of the Government, and make its independent recommendations to the NSC on a firm timetable to be determined by the Director. As provided by the law, these recommendations will be the recommendations of CIA only, but may include such suggestions of the IAC agencies as CIA feels it can properly accept under the appropriate provisions of the statute. These recommendations will be accompanied by the concurrence or non-concurrence of the IAC agencies, as provided in proposed revision of NSCID No. 1.

The function of the IAC and its Standing Committee will be clearly established as advisory only, so that this Agency may assume that initiative which the Congress and the National Security Council expect of it in the field of intelligence.

III

Withholding of Information from CIA

Section 102 (d) (3) places the duty on CIA to correlate and evaluate intelligence relating to the national security, and to provide for its appropriate dissemination within the Government. Objectivity is essential to national

~~SECRET~~

~~SECRET~~

- 6 -

intelligence. Departmental intelligence production is inevitably, and even admittedly, colored by departmental policy. It is therefore inherent that CIA receive all raw information material necessary to perform its function of producing national intelligence. This was clearly expressed in the Congressional debates. For this purpose, Section 102 (e) was adopted, providing that such intelligence as relates to the national security shall be made available to the Director for correlation and dissemination. In practice, however, there has been actual withholding of essential information from CIA by IAC agencies, there are blocks in the way of acquisition of essential information by CIA, and countless unjustified delays have been encountered.

Denial of information to CIA has been based on a variety of theories, of which the following are major examples:

(a) The Intelligence Division of the Department of the Army has stated that it should be the sole channel for CIA requests and the sole determiner as to the information to be furnished CIA by the Department. ID or that Department have thus been able to classify certain information deemed important by CIA, but which was received by ID from other

~~SECRET~~

~~SECRET~~

- 7 -

divisions of the Army, as "operational" rather than "intelligence" information, and therefore not available to CIA. While ID does not receive all such operational information, in many instances it is made available to it, but in turn held back from CIA. This theory of unilateral determination of availability is also held by other IAC agencies. ID has even gone so far as to suggest that CIA may require only finished departmental intelligence and not items of incoming, unevaluated information. If accepted, this theory would mean that national intelligence would be based on finished departmental intelligence alone, thus vitiating any claim to objectivity.

(b) It is common to withhold from CIA important messages of extreme intelligence value but which are sent back to a department on an "EYES ONLY" or highly limited dissemination basis.

(c) New and important subjects may be treated by the departments as special security problems and related material given special handling out of normal channels, thus by-passing CIA.

(d) Many intelligence memoranda prepared for circulation within IAC agencies are not disseminated

~~SECRET~~

~~SECRET~~

- 8 -

to CIA, and it has been told that it would not receive them even if requested.

In addition to the actual withholding of intelligence information from CIA, there are certain blocks in the way of the Agency's acquisition of intelligence information.

The first of these blocks is the absence of any authority by which CIA can enforce its requests for information on IAC agencies, or can discover whether its requests are being acted upon and, if so, in what priority they are being considered. Secondly, except for routine disseminations, there has been a general failure on the part of the IAC agencies to make spontaneous dissemination of information to CIA. Instead, they await a request for specific information which may or may not then be honored. Much material which is withheld unless requested is most important, and its withholding effectively cuts down the accuracy and effectiveness of CIA estimates. It is thus often necessary for CIA to discover the existence of this material through indirect means in order that a request for it may be made. Therefore much important information which should be spontaneously submitted to CIA is actually so closely held that its very existence is difficult to discover.

~~SECRET~~

~~SECRET~~

- 9 -

Although NSCID No. 3 provides for exchange of information between CIA and the IAC agencies on projects and plans for staff intelligence, this provision is honored by the IAC agencies mainly in the breach. CIA therefore cannot effectively plan intelligence production. NSCID No. 3 requires clarification and revision to remedy this situation.

IAC agencies are producing intelligence for themselves or other departments which CIA should, but rarely does, receive. This is a clear evasion of the law. The IAC agencies take the position that while they will inform us of intelligence work being produced on their own initiative, they will withhold information produced by request or direction on the ground that the latter is a matter under the control of the requesting or directing authority. Most projects fall into the latter category.

The IAC agencies have demanded strict compliance with the so-called Third Agency Rule, which prevents the dissemination to a third agency of information in the possession of one agency which has been produced in turn by a second. This rule was necessary when there was no central coordinating point, but it should be immediately and formally abrogated by NSC Directive insofar as it applies to the DCI, as it is not only a clear evasion of Congressional

~~SECRET~~

~~SECRET~~

- 10 -

intent, but also a serious block in the collection, production and dissemination duties assigned to CIA by law.

In addition to the withholding from CIA of important national intelligence information and the blocks placed in the way of its acquisition by CIA, this Agency encounters continual delays in the fulfillment of CIA collection requirements. CIA must rely virtually 100% on the IAC agencies for overt collection. The IAC agencies can and do assign a very low priority to CIA field collection requests. The delays encountered materially detract from or destroy the usefulness of such information as may ultimately be received. As an example, the average delay by the State Department in merely transmitting CIA collection requests to the field is 25 days. Further approximately 25% of our field collection requests to the Department of State have never been transmitted to the field, on the basis that in the Department's opinion the particular request is unnecessary or would serve no useful purpose.

- IV -

Coordination of Intelligence Production.

A most important duty of CIA is the production of national intelligence estimates for the top policy

~~SECRET~~

~~SECRET~~

- 11 -

planners of the Government. The problem of securing the material which forms the basis of this production has been set forth above. The present NSCIDs and DCIs establish procedures for coordinating such estimates with the IAC agencies. The resulting system is wholly inadequate and must be revised. Initial coordination at the working level may be achieved by personnel who are unable to speak for their superiors. Thereafter, CIA is often faced with a dissent from the IAC agencies on completely different grounds from any which were raised at the coordination meeting. This usually results from the fact that some of the IAC agencies cannot concur in an intelligence estimate which in any way conflicts with agency policy. One of the main purposes in establishing CIA, which was stressed before the Congress, was to have available for the President and his top policy advisers national intelligence estimates from which departmental bias would be completely lacking. It has been our experience that it is difficult for the IAC agencies to free themselves not only of departmental bias, but also from their budgetary interest, in the preparation of intelligence estimates. Therefore, the coordination of the simplest intelligence estimates take days, often weeks, and sometimes months. The result is not a CIA estimate but a compromise position in which CIA must attempt to screen-out departmental bias.

~~SECRET~~

~~SECRET~~

- 12 -

In addition, dissents to CIA estimates are often in disagreement not with the truth or the soundness of the intelligence involved, but are entered under the dictates of a political desk or policy-making officials who insist that the intelligence estimate, no matter how true, must be modified to suit the policies being followed in department. That this negates the fundamental principles of intelligence as well as the coordination process goes without saying.

Departmental insistence that CIA estimates include all of their corrections or be faced with a dissent is a novel form of blackmail which completely violates the spirit of the National Security Act and the implementing directives of the NSC. It should further be noted that many of these dissents are devoid of constructive criticism or any positive statement as to position.

CIA has received formal dissents on 35 out of 161 Situation Reports and ORE Estimates so far published. State has dissented fifteen times, Navy eleven, Army six, and Air three. Seven of these papers carried two dissents apiece; none received more than two. On four CIA papers agencies were allowed to "comment," although these comments are in effect dissents. A review by CIA of these dissents divided them as (a) unacceptable under the appropriate directives, (b) borderline, and (c) legitimate. There are eighteen in

~~SECRET~~

~~SECRET~~

- 13 -

the first category, twelve in the second, and four in the last. In addition, one dissent by Navy was in part unacceptable and in part legitimate. The "legitimate" dissents show two for Navy, two for Army, and none for State or Air Force.

V

Command Channels.

A particularly difficult problem in the whole question of carrying out the functions of CIA is that raised mainly by the military agencies concerning command channels. It is repeatedly claimed that to authorize the Director to enforce NSC directives on the other intelligence agencies, to establish priorities in collection of production activities of the other agencies, or to inspect activities would be a violation of the normal military concept of command channels. It is submitted that the claim of violation is superficial and that, actually, insistence on the military position is a violation of the will of Congress and the directions of the National Security Council in which the Secretaries of Defense and State sit.

VI

Conclusions.

The attention of the National Security Council is invited to the authority granted by the National

~~SECRET~~

~~SECRET~~

- 14 -

Intelligence Authority at its 9th meeting on 12 February 1947
to my predecessor:-

"The Director of Central Intelligence shall operate within his jurisdiction as an agent of the Secretaries of State, War and the Navy, and the necessary authority is hereby delegated by the Secretaries of State, War and the Navy to the Director of Central Intelligence so that his decisions, orders, and directives shall be considered as emanating from them and shall have full force and effect, as such, provided any aggrieved agency may have access to that agency's Secretary, and through him, to the NIA."

I requested that this authority to the Director of Central Intelligence be withdrawn as I preferred to coordinate the intelligence activities of the Government by mutual agreement. As pointed out above, this method has not enabled us to perform our mission during this critical period. I therefore recommend that the National Security Council give consideration to granting more authority to the Director of Central Intelligence so that he may more adequately fulfill his statutory obligations.

In view of the shortcomings and deficiencies set forth in this paper, revised drafts of NSCID No. 1 and NSCID No. 3 are submitted herewith which will afford to the Director those authorities which are inherently his by law and essential to the fulfillment of his legal responsibilities.

~~SECRET~~

C

TO ALL HOLDERS OF NSCID NO. 1, REVISED AS OF JULY 7, 1949:

The attached copy of NSCID No. 1, revised as of January 19, 1950, is to be substituted for that dated July 7, 1949 and the latter destroyed by burning.

NATIONAL SECURITY COUNCIL INTELLIGENCE DIRECTIVE NO. 1

DUTIES AND RESPONSIBILITIES

Pursuant to the provisions of Section 102 of the National Security Act of 1947, and for the purposes enunciated in paragraphs (d) and (e) thereof, the National Security Council hereby authorizes and directs that:

1. To maintain the relationship essential to coordination between the Central Intelligence Agency and the intelligence organizations, an Intelligence Advisory Committee consisting of the Director of Central Intelligence, who shall be Chairman thereof, the Director, Federal Bureau of Investigation, and the respective intelligence chiefs from the Departments of State, Army, Navy, and Air Force, and from the Joint Staff (JCS), and the Atomic Energy Commission, or their representatives, shall be established to advise the Director of Central Intelligence. The Director of Central Intelligence will invite the chief, or his representative, of any other intelligence Agency having functions related to the national security to sit with the Intelligence Advisory Committee whenever matters within the purview of his Agency are to be discussed.

2. To the extent authorized by Section 102 (e) of the National Security Act of 1947, the Director of Central Intelligence, or representatives designated by him, by arrangement with the head of the department or agency concerned, shall make such surveys and inspections of departmental intelligence material of the various Federal Departments and Agencies relating to the national security as he may deem necessary in connection with his duty to advise the NSC and to make recommendations for the coordination of intelligence activities.

3. Coordination of intelligence activities should be designed primarily to strengthen the over-all governmental intelligence structure. Primary departmental requirements shall be recognized and shall receive the cooperation and support of the Central Intelligence Agency.

a. The Director of Central Intelligence shall, in making recommendations or giving advice to the National Security Council pertaining to the intelligence activities of the various Departments and Agencies, transmit therewith a statement indicating the concurrence or non-concurrence of the members of the Intelligence Advisory

~~SECRET~~

Committee; provided that, when unanimity is not obtained among the Department heads of the National Military Establishment, the Director of Central Intelligence shall refer the problem to the Secretary of Defense before presenting it to the National Security Council.

b. Recommendations of the Director of Central Intelligence shall, when approved by the National Security Council, issue as Council Directives to the Director of Central Intelligence. The respective intelligence chiefs shall be responsible for insuring that such orders or directives, when applicable, are implemented within their intelligence organizations.

c. The Director of Central Intelligence shall act for the National Security Council to insure full and proper implementation of Council directives by issuing such supplementary DCI directives as may be required. Such implementing directives in which the Intelligence Advisory Committee concurs unanimously shall be issued by the Director of Central Intelligence, and shall be implemented within the Departments and Agencies as provided in paragraph b. Where disagreement arises between the Director of Central Intelligence and one or more members of the Intelligence Advisory Committee over such directives, the proposed directive, together with statements of non-concurrence, shall be forwarded to the NSC for decision as provided in paragraph a.

4. The Director of Central Intelligence shall produce intelligence relating to the national security, hereafter referred to as national intelligence. In so far as practicable, he shall not duplicate the intelligence activities and research of the various Departments and Agencies but shall make use of existing intelligence facilities and shall utilize departmental intelligence for such production purposes. For definitions see NSCID No. 3.

5. The Director of Central Intelligence shall disseminate National Intelligence to the President, to members of the National Security Council, to the Intelligence Chiefs of the IAC Agencies, and to such Governmental Departments and Agencies as the National Security Council from time to time may designate. Intelligence so disseminated shall be officially concurred in by the Intelligence Agencies or shall carry a statement of substantially differing opinions.

6. Whenever any member of the Intelligence Advisory Committee obtains information that indicates an impending crisis situation, such as the outbreak of hostilities involving the United States, or a condition which affects the security of

NSCID 1
Revised
January 19, 1950

~~SECRET~~

the United States to such an extent that immediate action or decision on the part of the President or the National Security Council seems to be required, he shall immediately furnish the information to the other members of the Intelligence Advisory Committee as well as to other officials or agencies as may be indicated by the circumstances. The Director of Central Intelligence shall immediately convene the Intelligence Advisory Committee. After receiving the views of the Intelligence Advisory Committee members, the Director of Central Intelligence shall promptly prepare and disseminate the national intelligence estimate in accordance with paragraphs 4 and 5 above.

7. When Security Regulations of the originating Agency permit, the Director of Central Intelligence shall disseminate to the Federal Bureau of Investigation and other Departments or Agencies intelligence or intelligence information which he may possess when he deems such dissemination appropriate to their functions relating to the national security.

8. The Director of Central Intelligence shall perform for the benefit of the existing intelligence Agencies such services of common concern to these Agencies as the National Security Council determines can be more efficiently accomplished centrally.

9. The intelligence organizations in each of the Departments and Agencies shall maintain with the Central Intelligence Agency and with each other, as appropriate to their respective responsibilities, a continuing interchange of intelligence information and intelligence available to them.

10. The intelligence files in each intelligence organization, including the CIA, shall be made available under security regulations of the Department or Agency concerned to the others for consultation.

11. The intelligence organizations within the limits of their capabilities shall provide, or procure, such intelligence as may be requested by the Director of Central Intelligence or by one of the other Departments or Agencies.

12. The Director of Central Intelligence shall make arrangements with the respective Departments and Agencies to assign to the Central Intelligence Agency such experienced and qualified officers and members as may be of advantage for advisory, operational, or other purposes, in addition to such personnel as the Director of Central Intelligence may directly employ. In each case, such departmental personnel will be subject to the necessary personnel procedures of each Department.

NSCID 1
Revised
January 19, 1950

~~CONFIDENTIAL~~

Executive

27 September 1949

General Counsel
Legislative Liaison Officer
Legal Responsibilities of the Central Intelligence Agency.

1. The interpretation of an act of Congress is often extremely difficult. At times provisions which are perfectly clear when the act is written become subject to various interpretations in practice, making it necessary to fall back on Congressional Committee reports and Floor debates. This appears to be the case in connection with certain authorities under Section 102 of the National Security Act of 1947 which sets forth the duties of the Central Intelligence Agency. But whatever uncertainty has arisen out of inadequate wording or subsequent interpretations, in our opinion the basic intent of the Congress is clear and unchanged in regard to this Section of the law.

2. Section 102(d) of the National Security Act sets forth certain duties for CIA to perform "under the direction of the National Security Council". The Agency was placed under the National Security Council, with the approval of the former and present Directors of CIA, because it was felt that it should report to a group rather than directly to the President. The President would be too busy to give adequate personal attention to its needs and should not be so burdened. Rather than leave the Agency in a vacuum it was decided that it should answer to a council composed of the President, and the Secretaries of State and the Military Establishment, who were to be the prime users of our material and who should therefore set certain broad patterns and directives for the Agency to follow.

3. While there was little specific discussion on the record, we feel it is quite clear that Congress intended CIA to look to the National Security Council only for broad direction, and that the day-to-day operations of the Agency were to be in the hands of the Director. Furthermore, there is no question but that if anything went wrong with the Agency, or if any questions arose (as they did at the time of the Bogota riots)*, the Congress would hold the Director

*(and at the time of the Korean invasion)

~~CONFIDENTIAL~~

D

~~CONFIDENTIAL~~

- 2 -

personally responsible and would look no further. It was Congressional intent to create an independent intelligence agency to perform the functions set forth in the Act, the agency to look to the National Security Council only for the broadest type of guidance.

4. The first function set forth in Section 102(d) of the National Security Act is that of advising the NSC "in matters concerning such intelligence activities of the Government departments and agencies as relate to national security." We believe Congress, by imposing this duty, intended CIA to report and give positive advice on the inadequacies, gaps and overlaps in the entire foreign intelligence field. The other intelligence agencies of the Government have been loath to accept such a concept. They have looked upon CIA as just another Government intelligence agency with no supervisory or directive powers over their own intelligence establishments.

5. Section 102(d)(2) of the National Security Act gives the Agency the duty to make recommendations to the NSC for the coordination of certain intelligence activities of certain departments and agencies of the Government. In this, we believe the intent of Congress was for CIA to make positive and aggressive recommendations for improvement of all intelligence activities relative to the national security. The recommendations which we have made in this connection are not in fact CIA recommendations as contemplated by the law. They are joint papers concurred in by all the intelligence agencies. Inevitably such compromises lack teeth, and the task of obtaining clearances consumes an undue amount of time. We feel that Congress intended CIA to prepare these recommendations for NSC directives in the form which it deems proper. They might then be circulated to the standing committee for comment. If valid objections are presented, they may be accepted if CIA feels that the purpose of the paper is not thereby impaired. It may be that CIA would likewise include IAC dissents in the final recommendation to the NSC. However, that final paper would be a CIA recommendation, as required by the law, and not the watered-down result of compromise.

6. Section 102(d)(3) places the duty on CIA to correlate and evaluate intelligence relating to the national security, and to provide for its appropriate dissemination within the Government.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

- 3 -

There is no question as to what the Congress intended in this connection. In placing upon us the burden of correlating and evaluating intelligence relating to the national security, it was inherent that we should receive the raw material necessary to perform this function. In the course of the debate in the House of Representatives on 19 July 1947, Congressman Judd pointed out that all intelligence relating to the national security which was developed by the various agencies of the Government must be made available to the DCI. It was with this thought in mind that Section 102(e) was written into the law, providing that intelligence relating to the national security should be made available to the Director for correlation, evaluation and dissemination. (The special proviso that was written in, making it necessary for the Director to make written requests to the Director of the FBI, was included, not to preclude the Director from information from that source, but merely to make it impossible for the Director to inspect specific operations of the FBI which are all in the field of internal security).

7. The intent of Congress is clearest in its determination to make certain that CIA received all the information which it needed to perform its functions. This is indicated by the authority to inspect intelligence of agencies (other than the FBI) to the extent recommended by the NSC and approved by the President. The present directive (NSCID #1), the wording of which was reached by compromise among the agencies, authorizes inspection by the DCI only through arrangement with the head of the intelligence agency concerned. This qualification vitiates the entire inspection authority.

8. The feeling that there was outside interference with CIA was evident in connection with the Bogota hearings. The sentiment of Members of the Congress was expressed in the statement of Congressman Clarence Brown of Ohio, who served as the Chairman of the Special Subcommittee investigating the Bogota incident, and who was also a member of the original Committee which established CIA. He stated, on 16 April 1948, that:

"It may be necessary for Congress to enact additional legislation to give the CIA the independent status it was generally presumed to enjoy."

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

- 4 -

9. The focus brought upon the subject of intelligence was in great measure caused by the Joint Congressional Committee investigation of the Pearl Harbor disaster. In connection with its report on this matter, the Committee stated:

"Why, with some of the finest intelligence available in our history, with the almost certain knowledge that war was at hand, with plans that contemplated the precise type of attack that was executed by Japan on the morning of December 7 -- Why was it possible for a Pearl Harbor to occur?"

It was the intent of Congress in establishing CIA to establish an independent agency which would be the focal point of all foreign intelligence information, to correlate and evaluate all such information and to disseminate the product to the necessary Government officials. The Congress felt it had conferred the statutory authority necessary for CIA to perform these functions, even though it left broad direction largely to the NSC and the President. We believe there is ample authority latent in the law, and that adequate directives will permit CIA to fulfill the role which, even now, the Congress believes the Agency is playing as an essential element in the national defense and security.

Lawrence R. Houston

Walter L. Pforzheimer

~~CONFIDENTIAL~~

421380

~~SECRET~~

Executive Registry

1-1328

Ref: CR-1263

11 July 1950

MEMORANDUM FOR: Executive, CIA
COAPS

SUBJECT : Staff Study: Production of National Intelligence

1. Attached hereto are copies of subject Staff Study prepared for joint submittal by the Departments of State and Defense to the National Security Council. Subject study has been transmitted to the Director of Central Intelligence for his comments prior to its submittal to the National Security Council by the Assistant Secretary of State.

2. The Director of Central Intelligence has directed the Assistant Director for Reports and Estimates to prepare coordinated comments with COAPS and the Executive which will include discussions of principles, personnel, space, and money involved.

3. Deadline established for submittal of comments to the Director of Central Intelligence is 30 July 1950.

4. In view of the fact that only one copy of this document was received in the Central Intelligence Agency, this Office has had it reproduced and is transmitting it to you for study. Arrangements for coordination will be negotiated with you at a later date.

L. K. Lawrence
THEODORE LANBETH

Assistant Director
Reports and Estimates

cc: AD/OSI
AD/CCD
AD/CSO
AD/CO
AD/OFC

~~SECRET~~

E

~~SECRET~~

1 May 1950

STAFF STUDYPRODUCTION OF NATIONAL INTELLIGENCEPROBLEM

1. To provide for the more effective production of national intelligence and to provide for continuous surveillance of current intelligence.

FACTS BEARING ON THE PROBLEM

2. Responsibility for the production of national intelligence rests with the Central Intelligence Agency. This responsibility derives, in the first instance, from the National Security Act of 1947 which provides (Section 102(d)(3)) that the CIA shall "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".

3. Pursuant to the National Security Act, the National Security Council issued a series of intelligence directives (NSCID's) for the guidance of CIA and the other intelligence agencies. In these directives, "intelligence relating to the national security" -- called "national intelligence" -- is defined, and principles to govern its production and dissemination are established.

~~SECRET~~

~~SECRET~~

-2-

4. The National Security Council, with the assistance of the Dulles-Jackson-Correa Committee, recently re-examined, and specifically reaffirmed as sound, those provisions of the National Security Act of 1947 and the NSCID's relating to national intelligence (NSC 50, section 1 c and 5 c). The NSC concluded, however, that the directives have not been effectively carried out, principally because there has been within the CIA a confusion between responsibility for producing national estimates and responsibility for miscellaneous research and reporting (NSC 50, section 5 c).

5. The NSC also reaffirmed the principle that the CIA should draw upon the specialized intelligence production of the agencies in order to prepare coordinated national intelligence estimates, and declared that a procedure should be adopted which would permit the Director of Central Intelligence to take full advantage of departmental opinion while retaining sole responsibility for the final national intelligence product. (NSC 50, section 5 c).

DISCUSSION

6. Experience since the issuance of NSC 50 has indicated that the quality of national intelligence estimates has not substantially improved and that unwarranted duplication of effort as between the various agencies has continued. This condition results in large measure from

~~SECRET~~

a. Continuing disagreement between CIA, on the one hand, and the departmental agencies, on the other, as to the meaning of national intelligence;

b. Inadequacies of existing mechanisms and procedures for production of national intelligence;

c. Continuing confusion within CIA between its responsibility for producing national intelligence and its responsibility for miscellaneous research and reporting.

7. The definition of national intelligence given in NSCID-3 needs further and more precise interpretation. It has not proved adequate as a guide to operating officials, and it has been subject to varying interpretations. To resolve this ambiguity, the meaning of the term "national intelligence" should be restated by the National Security Council, both in terms of content and in terms of end use.

8. Revision of the definition, however, will not in itself insure the production of authoritative national intelligence estimates reflecting the coordination of the best intelligence opinion in the Government. This can be accomplished only through the revision of existing mechanisms and procedures, which are inadequate. They should be revised to insure that national intelligence estimates reflect in every instance an integration of the best intelligence opinion of the Government. Such an integration can

be fully achieved only through a cooperative process of preparation in which departmental contributions, oral and written, are synthesized and departmental intelligence opinion and advice, explicitly brought to bear at all stages of production.

9. Continuing confusion within CIA between its responsibility for national intelligence estimates and its responsibility for miscellaneous research and reporting can only be cured by an organizational separation of the staffs carrying out the two functions. A special group should be created in CIA to handle its national intelligence functions and, in addition, the surveillance and dissemination of current intelligence required by executives responsible for the formulation and execution of national policy. A separate office should be responsible for carrying out such research and reporting functions of common concern as may be prescribed by the NSC under the provisions of Section 102 (d) (4) of the National Security Act of 1947.

CONCLUSIONS

10. The National Security Council should define national intelligence in terms of both content and end use so as to provide a clear guide for operating officials.

11. Existing mechanisms and procedures for the production of national intelligence estimates should be revised so as to insure that such estimates represent in every instance an integration of the best intelligence opinion in the Government.

12. The staff within CIA responsible for carrying out the Agency's national intelligence functions should be organizationally separate from the staff responsible for research and reporting activities of common concern.

RECOMMENDATIONS

That the National Security Council

a. Approve and issue the attached directive implementing the conclusions of this paper.

b. Direct that the strength of the National Intelligence Group, described in paragraph 5 of the directive, shall not exceed 100 officer and/or professional personnel, of whom not more than 20 may be detailed by departmental agencies.

c. Note that after the accumulation of operating experience, the Director of Central Intelligence, with the advice and assistance of the IAC, will recommend to the NSC such modifications in the strength and composition of the National Intelligence Group as may be necessary.

d. Note that the Director of Central Intelligence, with the advice and assistance of the IAC, will submit revisions of existing NSCID's and DCID's required to bring those directives into conformity with the attached directive.

~~SECRET~~

NSC DIRECTIVE

Pursuant to the provisions of paragraphs (d) and (e) of Section 102 of the National Security Act of 1947 and in furtherance of paragraphs 5 and 6.a(2) of NSC 50, the National Security Council hereby authorizes and directs the following readjustment of the functions and organization of the Intelligence Advisory Committee and of the Central Intelligence Agency, in order specifically to insure more effective production of national intelligence estimates and studies, and to provide continuous surveillance of current intelligence:

GENERAL

1. National intelligence is that intelligence required in the formulation of policy at the national (i.e. supra-departmental) level. As stated in NSCID-3, such intelligence inevitably "covers the broad aspects of national policy and national security", and normally it "transcends the exclusive competence of a single department or agency or the military establishment". Regardless of its content, however, intelligence used in the formulation of national policy must have an inter-departmental basis, i.e., it must embody departmental intelligence resources and be subjected to adequate safeguards against bias. Strictly political or strictly military intelligence estimates, for example, should be considered as national intelligence in those cases where such estimates are required in the formulation of policy at the national level.

~~SECRET~~

Because national intelligence serves as a basis for the formulation of policy at the national level, it is essential that it represent in every instance an integration of the best intelligence opinion of the departments. Such an integration can be fully achieved only through a cooperative process of preparation in which departmental contributions, oral or written, are synthesized and departmental intelligence views are explicitly brought to bear at all stages of production. Intelligence which has not been so produced should not be disseminated as national intelligence.

INTELLIGENCE ADVISORY COMMITTEE

2. Composition

In order to facilitate the effective functioning of the IAC, the Director of Central Intelligence, the intelligence chiefs of the Departments of State, Army, Navy and Air Force and the Federal Bureau of Investigation shall each designate a qualified individual who shall be on full time duty at IAC headquarters and who will be the representative of his agency in matters covered by this directive not requiring the action of the head of his agency. The Director of the Joint Intelligence Group and the Director of Intelligence of the Atomic Energy Commission may designate such representatives if they so desire. The representative of the Director of Central Intelligence shall concurrently be head of the National Intelligence Group (hereafter described).

3. Mission

a. In addition to its existing functions, the mission of the IAC with respect to national intelligence shall be

~~SECRET~~

- (1) To initiate timely national intelligence requirements to cover future foreseeable needs for national estimates and studies of a continuing, recurrent, or emergency nature, such requirements to be recommended to the DCI for preparation by the National Estimates Staff (hereafter described).
- (2) To advise the DCI as to the desirability and feasibility of national estimates and studies which he may initiate.
- (3) To review drafts of national estimates and studies prepared by the National Estimates Staff and resubmit them for modification or clear them expeditiously for consideration by the DCI by unanimous concurrence or with record of substantive dissent by individual members. All issues under review on which dissent is pending shall be considered by the assembled IAC.
- (4) To maintain contact through the Chairman, IAC, with the NSC staff and national planning agencies of the Government in order to be cognizant at all times of contemplated high level negotiations, plans or projects which should be soundly based on national intelligence estimates.
- (5) To maintain close liaison with the Joint Intelligence Committee in order to coordinate the projects for estimates in the two committees and to insure the integration of appropriate parts of national estimates with joint estimates.

b. In addition to the functions outlined above, it shall be the mission of the IAC

- (1) By keeping under continuing review all critical current intelligence, to be prepared to draw nationally significant conclusions therefrom, if an emergency threatens or prompt executive action is indicated. Such conclusions shall be recommended without delay to the DCI for immediate transmission to key executive officials.
- (2) To recommend to the DCI the nature and specifications of periodic current intelligence summaries and reports, centrally prepared and appropriately edited, required by executive officials responsible for national policy.
- (3) To recommend to the DCI the preparation of special intelligence products in recognized fields of common interest.
- (4) To be responsible for the conduct of all discussions with foreign intelligence agencies respecting the formulation of combined national intelligence estimates and the preparation, in collaboration with foreign intelligence agencies, of such combined estimates.

4. Location

The permanent headquarters for deliberations of the IAC shall be conveniently located with respect to the National Intelligence Group (hereafter described) and its facilities. The housing and facilities for both

the IAC and the National Intelligence Group shall be provided by the CIA.

NATIONAL INTELLIGENCE GROUP (NIG)

5. Composition

The National Intelligence Group shall be established as an organic part of CIA. It shall consist of a National Estimates Staff and Current Intelligence Staff. A part of the professional and all clerical personnel of the Group shall be provided by CIA. A proportion of the professional personnel shall be provided by detail from departmental agencies for duty with CIA; each individual so detailed shall be acceptable to the DCI and responsible to him. The DCI shall provide the necessary personnel authorizations as well as reimbursement for civilian personnel assigned. He shall also provide spaces for assigned military personnel which will be additional to the personnel authorizations of their respective service intelligence agencies.

NATIONAL ESTIMATES STAFF (NES)

6. Mission

The National Estimates Staff shall:

1. Break down intelligence requisitions initiated by the IAC into component requisitions upon the several departmental agencies and CIA for their appropriate contributions of intelligence material, giving clear specifications as to the nature and scope of material required and deadline dates for completion.

b. By evaluation, analysis and synthesis of intelligence contributed in appropriate form and content by the several departmental intelligence agencies and offices of CIA, prepare drafts of national estimates and studies.

c. Present draft estimates and studies for consideration of the members of IAC prior to formal review by that body. Representatives of the National Estimates Staff normally shall be present when the drafts are considered by the IAC and shall be authorized to furnish orally additional reasoning or factual knowledge in support of statements or conclusions incorporated in the drafts.

d. From critical information received from the Current Intelligence Staff or any other source indicating the need for timely executive action on any scale, prepare crisis estimates for prompt submission to the DCI and the IAC.

e. Periodically report to the DCI and the IAC on the adequacy and completeness of available information required in the preparation of national estimates.

f. Collaborate with the Current Intelligence Staff in order to insure that estimates and studies reflect the most recent, evaluated, current information, and contra-wise, that the reasoning of current intelligence publications is not inconsistent with well-confirmed long-range intelligence.

CURRENT INTELLIGENCE STAFF (CIS)

7. Mission

The Current Intelligence Staff shall be organized and staffed to effect

a. The prompt and systematic receipt, surveillance, and appropriate situation room display of all radio, wire and otherwise rapidly-dispatched current information received in all agencies and departments of the Government which may be of significance in the preparation of current intelligence required by executives responsible for the formulation or implementation of national policy.

b. The conduct of a 24-hour watch on incoming information with provisions for immediate alert of the DCI, NIG and the members of the IAC upon the indication of critical or emergency situations which might require the preparation of crisis estimates or timely executive action on any scale.

c. The identification and preparation of "hot" information obtained by offices within CIA or from other sources for dissemination by the DCI if in his opinion it is of sufficient importance and urgency to be furnished without delay to the President, the members of the National Security Council and the IAC.

d. The preparation and dissemination, under the sole responsibility of the DCI, and with speed appropriate to the apparent significance of the information, of periodic current intelligence summaries patterned to the needs of the executives responsible for the formulation or implementation of national policy. To the extent practicable, the material in such summaries which is of predominant interest to a member agency shall be coordinated with that agency.

e. The operation of an intelligence situation room designed to serve the needs of the above-mentioned executive officials and their principal assistants, the IAC and the National Estimates Staff.

MISSIONS OF
DEPARTMENTAL AGENCIES AND CENTRAL INTELLIGENCE AGENCY

(with respect to national intelligence)

8. Departmental Agencies

The several departmental agencies of the IAC shall

a. Furnish upon requisition of the National Estimates Staff, within the deadline dates prescribed, appropriate intelligence in form and content as required by the NES to provide for the national intelligence projects initiated by the IAC.

b. Be prepared to make oral presentations in the NES in support of their respective intelligence contributions at their own request or when requested by the NES.

c. Furnish to the CIS in the most expeditious manner possible all radio, wire and rapidly-dispatched current information of possible significance to the current intelligence mission of the CIA. In this category of information should be included the intelligence content or implications of operational messages.

d. In the event that intelligence studies in subjects of primary interest are prepared departmentally which have the characteristics of national intelligence and are intended for dissemination above departmental level, they shall be subjected to the reviewing procedures of the NES and the IAC in order to obtain the imprimatur of "national intelligence".

e. In the choice of personnel to be detailed for duty with the National Intelligence Group, nominate individuals of highest professional qualifications.

9. Central Intelligence Agency

a. All offices of CIA having intelligence resources shall contribute to the requirements of the NES and the CIS in accordance with the same principles as Federal agencies outside of CIA.

b. Intelligence offices of CIA, other than the National Intelligence Group, shall be restricted to the production of intelligence prescribed in paragraphs (4) and (5) of Section 102d of the National Security Act of 1947.

c. Intelligence studies prepared under Paragraph 9.b, above, if of a character to be employed as national intelligence, must have passed through the reviewing procedures of the NES and the IAC before being designated "national intelligence".

10. Responsibility of Director, Central Intelligence Agency, and Heads of other Federal Intelligence Agencies.

a. By virtue of the mission assigned in the National Security Act of 1947 to the DCI to produce intelligence related to the national security (defined by the National Security Council as "national intelligence") employing as far as practicable the resources of existing agencies, and his mission to coordinate intelligence activities to this end, the DCI is primarily responsible for the implementation of this Directive. His available means are the coordinated and integrated resources of departmental intelligence agencies of the Government and of CIA itself.

b. The other members of the IAC are responsible in no less degree than the DCI, however, in their obligation to support with their full resources the mechanism set up in this Directive to accomplish national intelligence objectives. Thus, while the integration of talent and intelligence resources for the production of national intelligence as prescribed in this Directive is a coordinating function of the DCI, the responsibility for making available the talent and resources is common to the heads of all agencies. Until the emergence of a national estimate or study from the IAC, collective responsibility is inescapable under the Act of 1947.

c. The full statutory responsibility of the DCI for the production of national intelligence becomes operative only when the heads of Federal intelligence agencies have discharged their obligations, as herein described, and final drafts of national estimates or studies are recommended by the IAC to the DCI. From that moment the DCI alone is responsible for the final approval and dissemination of national estimates and studies.

d. "National intelligence" therefore is limited to intelligence estimates and studies which have passed through the NES and the reviewing procedures of the IAC and have been disseminated under the final responsibility of the DCI: provided, however, that such national intelligence shall not be disseminated without a statement indicating concurrence of the members of the Intelligence Advisory Committee or, when there is a non-concurrence, a statement of substantially differing opinion. In the event any IAC member fails to act in the preparation of, or indicate his approval or dissent with respect to, a national estimate or study, the DCI may proceed with its dissemination in accordance with his responsibility.

Compromise directive now being urged by State and Defense through General Magruder.

NSC DIRECTIVE

Pursuant to the provisions of paragraphs (d) and (e) of Section 102 of the National Security Act of 1947 and in furtherance of paragraphs 5 and 6.a(2) of NSC 50, the National Security Council hereby authorizes and directs the following readjustment of the functions and organization of the Central Intelligence Agency, in order specifically to insure more effective production of national intelligence estimates and studies, and to provide continuous surveillance of current intelligence:

GENERAL

1. National intelligence is that intelligence required in the formulation of policy at the national (i.e. supra-departmental) level. As stated in NSCID-3, such intelligence inevitably "covers the broad aspects of national policy and national security," and normally it "transcends the exclusive competence of a single department or agency or the military establishment." Regardless of its content, however, intelligence used in the formulation of national policy must have an inter-departmental basis, i.e., it must embody pertinent departmental intelligence resources and be subjected to adequate safeguards against bias. Strictly political or strictly military intelligence estimates, for example, should be considered as national intelligence in those cases where such estimates are required in the formulation of policy at the national level, and as national intelligence they would be the responsibility of CIA.

Because national intelligence serves as a basis for the formulation of policy at the national level, it is essential that it represent in every instance a synthesis of all pertinent information available to the departments.

E

Such a synthesis should normally be based on a cooperative process of preparation in which departmental contributions, oral or written, and departmental intelligence views are fully considered at all stages of production by CIA. Intelligence which has not been so produced should not normally be disseminated as national intelligence.

INTELLIGENCE ADVISORY COMMITTEE

2. Composition of, and Delegation of Authority to, the Standing Committee to the IAC

In order to facilitate the effective functioning of the IAC, the Director of Central Intelligence, the intelligence chiefs of the Departments of State, Army, Navy and Air Force and the Federal Bureau of Investigation shall each designate a qualified individual who shall be on full time duty at IAC headquarters and who will be the representative of his agency in matters covered by this directive not requiring action by the designating officer. The Director of the Joint Intelligence Group and the Director of Intelligence of the Atomic Energy Commission may designate such representatives if they so desire. The representative of the Director of Central Intelligence shall concurrently be head of the National Intelligence Group (hereafter described).

3. Mission

a. In carrying out its general function of advising the DCI, the mission of the IAC with respect to national intelligence shall be to advise specifically on:

- (1) The initiation of timely national intelligence requirements to cover future foreseeable needs for national estimates and studies of a continuing, recurrent, or emergency nature.
- (2) The feasibility of national estimates and studies which the DCI may initiate.

- (3) Drafts of national estimates and studies prepared by the National Estimates Staff, specifying unanimous concurrence or substantive dissent by individual members. All issues under review on which dissent is pending shall be considered by the assembled IAC.

b. In addition to the functions outlined above, it shall be the mission of the IAC:

- (1) By keeping under continuing review critical current intelligence, to be prepared to advise the DCI if an emergency threatens or prompt executive action is indicated.
- (2) To recommend to the DCI the nature of intelligence summaries and reports deemed useful to executive officials responsible for national policy.
- (3) To recommend to the DCI the preparation of special intelligence products in recognized fields of common interest.

h. Location

The permanent headquarters for deliberations of the IAC shall be conveniently located with respect to the National Intelligence Group (hereafter described) and its facilities. The housing and facilities for both the IAC and the National Intelligence Group shall be provided by the CIA.

NATIONAL INTELLIGENCE GROUP (NIG)

5. Composition

The National Intelligence Group shall be established as an organic part of CIA. It shall consist of a National Estimates Staff and Current Intelligence Staff. A part of the professional and all clerical personnel of the Group shall be provided by CIA. A proportion of the professional personnel

shall be provided by detail from departmental agencies for duty with CIA; each individual so detailed shall be acceptable to the DCI and responsible to him. The DCI shall provide the necessary personnel authorizations as well as reimbursement for civilian personnel assigned. He shall also provide spaces for assigned military personnel which will be additional to the personnel authorizations of their respective service intelligence agencies.

NATIONAL ESTIMATES STAFF (NES)

6. Mission

The National Estimates Staff shall:

a. Break down intelligence requisitions into component requisitions upon the several departmental agencies and CIA for their appropriate contributions of intelligence material, giving clear specifications as to the nature and scope of material required and deadline dates for completion.

b. By evaluation, analysis and synthesis of intelligence contributed in appropriate form and content by the several departmental intelligence agencies and offices of CIA, prepare drafts of national estimates and studies.

c. Subject to special instructions by the DCI, present draft estimates and studies for consideration of the members of IAC prior to formal review by that body. Representatives of the National Estimates Staff normally shall be present when the drafts are considered by the IAC and shall be authorized to furnish orally additional reasoning or factual knowledge in support of statements or conclusions in the drafts.

d. From critical information received from the Current Intelligence Staff or any other source indicating the need for timely executive action

on any scale, prepare crisis estimates for prompt submission to the DCI and the IAC.

e. Periodically report to the DCI on the adequacy and completeness of available information required in the preparation of national estimates.

f. Collaborate with the Current Intelligence Staff in order to insure that estimates and studies reflect the most recent information, and contra-wisec, that the reasoning of current intelligence publications is not inconsistent with well-confirmed long-range intelligence.

CURRENT INTELLIGENCE STAFF (CIS)

7. Mission

The Current Intelligence Staff shall be organized and staffed to effect

a. The prompt and systematic receipt, surveillance, and appropriate situation room display of all radio, wire and otherwise rapidly-dispatched current information received in all agencies and departments of the Government which may be of significance in the preparation of current intelligence required by executive responsible for the formulation or implementation of national policy.

b. The conduct of a 24-hour watch on incoming information with provisions for immediate alert of the DCI, MIG and the members of the IAC upon the indication of critical or emergency situations which might require the preparation of crisis estimates or timely executive action on any scale.

c. The identification and preparation of "hot" information obtained by offices within CIA or from other sources for dissemination by the DCI if in his opinion it is of sufficient importance and urgency to be furnished without delay to the President, the members of the National Security Council or the IAC.

d. The preparation and dissemination with speed appropriate to the apparent significance of the information, of periodic current intelligence summaries patterned to the needs of the executives responsible for the formulation or implementation of national policy. To the extent practicable, the material in such summaries which is of predominant interest to a member agency shall be coordinated with that agency.

e. The operation of an intelligence situation room designed to serve the needs of the above-mentioned executive officials and their principal assistants, the IAC and the National Estimates Staff.

MISSIONS OF DEPARTMENTAL AGENCIES AND
CENTRAL INTELLIGENCE AGENCY

(with respect to national intelligence)

8. Departmental Agencies

The several departmental agencies of the IAC shall

a. Furnish upon requisition of the National Estimates Staff, within the deadline dates prescribed, appropriate intelligence in form and content as required by the NES to provide for national intelligence projects.

b. Be prepared to make oral presentations in the NES in support of their respective intelligence contributions at their own request or when requested by the NES.

c. Furnish to the CIA in the most expeditious manner possible all radio, wire and rapidly-dispatched current information of possible significance to the current intelligence mission of the CIA. In this category of information will be included the intelligence content or implications of operational messages.

d. In the event that intelligence studies in subjects of primary interest are prepared departmentally which have the characteristics of

national intelligence and are intended for dissemination above departmental level, as national intelligence they are the responsibility of CIA and will be processed accordingly.

c. In the choice of personnel to be detailed for duty with the National Intelligence Group, nominate individuals of highest professional qualifications.

9. Central Intelligence Agency

a. All offices of CIA having intelligence resources shall contribute to the requirements of the NES and the CIS in accordance with the same principles as Federal agencies outside of CIA.

b. Intelligence offices of CIA, other than the National Intelligence Group, shall produce intelligence prescribed in paragraphs (4) and (5) of Section 102d of the National Security Act of 1947, and implementing NSC directives.

c. Intelligence studies prepared under Paragraph 9.b., above, if of a character to be employed as national intelligence, will be processed accordingly by CIA.

10. Responsibility of Director, Central Intelligence Agency, and Heads of other Federal Intelligence Agencies

a. By virtue of the mission assigned in the National Security Act of 1947 to CIA to correlate and evaluate intelligence relating to the national security (defined by the National Security Council as "national intelligence"), and to provide for appropriate dissemination thereof using where appropriate existing agencies, and the Agency's mission to coordinate intelligence activities to this end, the DCI is responsible for the implementation of this Directive. His available means are the coordinated resources of departmental intelligence agencies of the Government and of CIA itself.

b. The other members of the IAC are responsible in their individual official capacities for the support of CIA with their full resources. Thus, while the coordination of intelligence resources for the production of national intelligence as prescribed in this Directive is the function of the DCI, the responsibility for making available their talent and resources in his support is common to the heads of all agencies.

c. "National intelligence" therefore shall be disseminated under the final responsibility of the DCI; provided, however, that normally such national intelligence shall not be disseminated without a statement indicating concurrence of the members of the Intelligence Advisory Committee or, when there is a non-concurrence, a statement of substantially differing opinion. In the event the IAC or any member fails to act in the preparation of, or to indicate his approval or dissent with respect to, a national estimate or study, or whenever the DCI deems such action essential, he shall proceed with dissemination in accordance with his statutory responsibility.