

20 February 1948

MEMORANDUM FOR THE EXECUTIVE DIRECTOR

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1. In connection with proposed CIA legislation, your attention is called to the debate in connection with the passage of the National Security Act of 1947 last July.
2. On 25 July Congressman John McCormack, formerly the majority leader and presently the Democratic whip, stated on the floor that, "We felt, since enabling legislation was going to come in later from another standing committee of the House -- and we know that; we were advised and saw a copy of the proposed bill -- that that question, with the other questions that would arise in connection with this Central Intelligence Agency, should be left to the standing committee, and that our Committee should try to meet the immediate problem".
3. Congressman Menasco (D.Ala.) stated on the floor on 19 July that, "A bill will be introduced soon after this legislation becomes law that will be referred to the Committee on Armed Services, where more study can be given to this most important subject. . ."
4. During the hearings on the bill before the House Committee on Expenditures in the Executive Departments, in answer to a question from Congressman Brown (R.Ohio), Secretary of the Navy Forrestal stated on 25 April that, "While it is not specified in this bill, Mr. Brown, the intent is, should this bill become law, to implement specifically, by statute, that part of it that deals with the reference to the Central Intelligence Authority. . .I think General Vandenberg, as a matter of fact, is now preparing a statute which could either be incorporated in this bill or dealt with as a separate act. . ."
5. In a further exchange with Congressman Brown on 2 May 1947 in which the Congressman asked whether it was the intention to submit detailed legislation for CIA in the near future, Vice Admiral Forrest Sherman stated, "I know it is the intent of the Secretary of the Navy, who is a member of the temporary National

*Section 1, Thru C, 5 pages*

A. COMMENTS DURING HOUSE HEARINGS ON H.R. 2319 (NATIONAL SECURITY ACT) ON FUTURE LEGISLATION FOR THE CENTRAL INTELLIGENCE AGENCY.

1. Friday 25 April 1947: (p. 126).

MR. BROWN: ... You will notice by statute you transfer the function of the National Intelligence Authority to the National Security Council and the Director of Central Intelligence, and the functions of the Central Intelligence Group are transferred. However, the functions are set up nowhere that I have knowledge of in the statutory law of the land, and your statute refers back to some Federal Register of February 5, or some other date, and some directive issued by the President of the United States, under what I still think is questionable authority. Nobody can tell from that statute, from this bill, if enacted into law, what power or authority this fellow had.

SECRETARY FORRESTAL: While it is not specified in this bill, Mr. Brown, the intent is, should this bill become law, to implement specifically, by statute, that part of it that deals with the reference to the Central Intelligence Authority.

MR. BROWN: Do you not think it should be done all at once before you pass a thing like this? Do you not think this should be set out in the statute?...

SECRETARY FORRESTAL: Well, it could be done simultaneously. I would rather not try to have that bill incorporated as a part of this bill.

MR. BROWN: Do you not think this bill should come first, then, and have an agency legalize and authorize the law and put it in here?

SECRETARY FORRESTAL: There is no reason why you could not have it a part of this bill, and I think General Vandenberg, as a matter of fact, is now preparing a statute which could either be incorporated in this bill or dealt with as a separate act. Either way would be quite all right, as far as I am concerned.

2. Friday 2 May 1947: (pp. 170-173).

MR. BROWN: How do you fit together your statement that you should define by statute the duties and responsibilities, and the provision in the bill for this Central Intelligence Agency which provides that the agency shall have the functions and the powers as outlined in Executive orders issued by the President. ...

ADMIRAL SHERMAN: Well, I would like to explain the background of the drafting in that regard, sir. In preparing this draft we first considered trying to do in this bill an adequate job on the functions and authority and responsibilities of the Central Intelligence Agency. We found that that would be a rather extensive piece of legislation in itself. Therefore, the attempt was made here to

PROPOSED CIA LEGISLATION

DRAFT OF 16 February 1948

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