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Executive Register
76-3682

DCI/IC-76-1387
30 JUL 1976

MEMORANDUM FOR: Director of Central Intelligence
FROM : [redacted] Deputy to the DCI for the Intelligence Community
SUBJECT : ICS Guidelines for Interface with the Staff of the Senate Select Committee on Intelligence

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1. The following is submitted for your approval as operating guidance for the ICS concerning its interface and relationships with the staff of the Senate Select Committee on Intelligence (SSCI).

2. These guidelines recognize that different problem areas will require somewhat different approaches and they are geared essentially to the expected activities of each of the four subcommittees that the SSCI has established.

3. Formal requests from the SSCI for written answers or documentation to be provided by the ICS are to be channeled from the SSCI Staff Director to the Office of Legislative Counsel, and ICS responses will be submitted to OLC and passed to the SSCI subject to OLC controls. This is considered important to assure no impression is created that the SSCI is being treated differently from other Congressional committees with which the DCI has important dealings.

4. [redacted] will serve as the ICS point of contact for the OLC as regards incoming requests from the SSCI and outgoing responses. He also will be the single point of contact for ICS with the SSCI staff concerning interviews, conferences and the like in which ICS personnel are involved.

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25X1 5. The ICS will organize a Coordinating Committee, to which all elements of the Community will be invited to provide representation. This committee will enable all interested organizations to be aware of ongoing or pending SSCI activities, and should provide a means of assuring similarity in guidelines and responses throughout the Community. Situations in which one agency makes a particular document available and another agency withholds a similar document should be avoided. [redacted] will chair this committee. [redacted]

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6. SSCI Subcommittee on Rights of American Citizens

It is expected the informal Intelligence Coordination Group will take the lead role in developing inputs for SSCI use. On behalf of the DCI, however, the ICS will initiate actions as necessary to organize and coordinate responses to this subcommittee, as it did for the 30 June hearing on electronic surveillance legislation. [redacted] will be the primary ICS action officer.

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7. SSCI Subcommittee on Charters

a. Community participation in the work of this subcommittee is expected to involve SSCI staff consultations with the various General Counsels and legal drafting experts rather than the ICS. Much of the subcommittee work will deal with draft legislation relating to individual elements of the Community, such as the CIA and NSA.

b. If, as is now expected, the SSCI involves itself in an examination of the overall structure of the Intelligence Community, it probably will become necessary to form working groups of Community representatives to consult with the SSCI staff. As the need for such groups emerges, the ICS will initiate action to assemble the necessary experts. Because of the exhaustive effort which went into study of alternative organizations both in the Community last fall and more recently in the Department of Defense, no need is seen to initiate Community actions at this time in anticipation of questions which the SSCI might raise. As the trend of SSCI activities is identified, it would appear appropriate to form a CFI Subcommittee to participate in discussions and draft position papers relating to legislation being drafted.

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8. SSCI Subcommittee on Budget

a. Primary role of this subcommittee will be to develop the authorization line for the National Foreign Intelligence Program, and this is expected to involve the CFI and the ICS closely with work of the subcommittee.

b. The ICS Office of Program and Budget Development will have the leading role in Community support for the Budget Subcommittee. [redacted] will be the primary action officer.

c. It is important that the ICS be completely outgoing in its responses and provide budget and program data to the SSCI in as much detail as is called for.

9. SSCI Subcommittee on Intelligence Collection, Production and Quality

a. This is the subcommittee for which policy guidance is of most immediate importance since the subcommittee staff has started its individual conferences and interviews. The staff already has indicated it expects to be provided a comprehensive catalog of intelligence products and direct access to a large quantity of such products.

b. An initial important question is whether the ICS should respond for the entire Community, directly arranging for inputs from the separate organizations--as there is indication the SSCI staff director would prefer--or whether the subcommittee staff should deal directly with the individual production organizations--as the subcommittee staff already has started to do with the CIA.

c. The recommended policy is that ICS limit its involvement with this subcommittee to those activities which the ICS conducts and papers which it produces, and that for access to products and related materials and interviews with personnel the subcommittee staff deal directly with individual producing organizations.

d. Under this arrangement, the ICS would be responsible for the release to the SSCI of USIB/NFIB documents and DCI Committee documents which are not estimative in nature, and for documents prepared within the ICS. The D/DCI/NI would be responsible for release of NIEs and other substantive interagency documents.

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e. While a catalog of intelligence publications already exists ("A Survey of the Intelligence Community Periodicals," dated 13 April 1976 and prepared by ICS), it is recommended that this catalog not be provided to the SSCI. A large number of the periodicals listed are not finished intelligence and are intended primarily for use by intelligence analysts. Instead, it is recommended each production organization be responsible for preparation of a listing of its products which it considers will respond to the stated needs of the SSCI subcommittee. The CIA already has done this.

f. It is recommended that each releasing organization be responsible for obtaining such concurrences from other organizations as are considered essential under the Third Party rule.

g. For those documents which are under the release cognizance of the D/DCI/IC, it is recommended that the D/DCI/IC be authorized to act for the DCI as final authority for release of Community documents.

10. On the basis of experience during the period in which the Senator Church and Congressman Pike committees were active, several other problems which need to be addressed are these:

a. DCI Spokesman with the SSCI

(1) Last year the DCI employed a Special Counsel. to be his spokesman and negotiator with the Church and Pike committees on matters in which the DCI did not personally take part.

(2) It is recommended that the DCI use the Legislative Counsel in this role as regards the SSCI.

b. The White House Role

(1) During much of last year's investigations, White House release approval was required before any

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document could be furnished to the committee staffs. The political sensitivity of the investigations was considered to call for such procedures. In some instances this built in lengthy delays, but in the end, with very few exceptions, requested documents were released. In some instances, the White House staff called for sanitization which went beyond that proposed by the responsible intelligence organization. During the latter stages of the investigations, while there was no official change in policy, only documents which were considered particularly sensitive or which impinged on policy considerations were passed to the White House for clearance prior to release.

(2) It is suggested that the DCI advise the White House Counsel that SSCI staff interface with Intelligence Community organizations has reached the stage in which documents are being requested and interviews arranged. Considering that it is intended that work with the SSCI not be on an adversary basis, it is recommended that the DCI advise appropriate White House personnel that he considers his responsibilities extend to making final determination as to releasability of documents without referral to the White House unless in his judgment matters of important political sensitivity are involved.

c. Sanitization

(1) During last year's investigations considerable attention was devoted to the sanitization of documents prior to their release to the committee staffs. Primary attention was focused on the protection of sources and methods--which became increasingly important as it became apparent that much of the material provided in classified form was going to be publicly released.

(2) It is recommended that for documents being provided to the SSCI, sanitization be limited to an absolute minimum--the names of agents and other sensitive personnel, sensitive liaison arrangements, and material in current reports or studies, release of which could have an adverse impact on current international negotiations.

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11. It is recommended that the DCI approve the recommendations set forth in this memorandum as guidance for our working relationships with the SSCI staff.



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cc: OLC

APPROVED:

Director of Central Intelligence

Date

MEMORANDUM FOR: Paul Walsh, ADDO

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Dick Lehman, D/DCI/NI

I checked with George Cary and the attached is okay by him, but he suggests I give the Director a note as to whether this reflects your understanding and interests growing out of the meeting with the DCI.

Please phone me.

*None
8/3/76
RL*


BCEvans

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CIA PRODUCT

■ Current Reporting

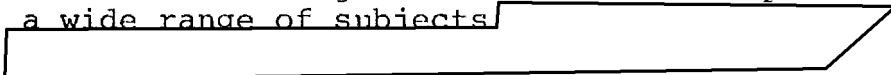
Time-sensitive initial analysis of foreign political, military, scientific, and economic developments produced on a daily, weekly, or biweekly basis.

■ Estimative Production

A more detailed examination of a particular problem which provides judgments on how that problem may develop. Estimative production is responsive to events (Jamaica at the Crossroads) or functions (Soviet Forces for Strategic Attack). Estimates reflect a Community position with provision for dissent.

■ Analytic Production

Finished intelligence memoranda and reports on a wide range of subjects



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■ Special Support

The ad hoc production required to provide intelligence input on current policy issues.

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■ CURRENT REPORTING

President's Daily Brief
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Weekly publications reviewing develop-
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■ ESTIMATIVE PRODUCTION

National Intelligence Estimates
Special National Intelligence Estimates
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■ ANALYTIC PRODUCTION

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The President's Daily Brief

The President

The Vice President

Secretary of State (shared with Assistant to the President for National Security Affairs)

The Secretary of Defense

The National Intelligence Daily

The above

Secretaries of Treasury and Commerce

Service Secretaries

Congressional Committees (7)

National Security Council Staff

Joint Chiefs

Deputy and Assistant Secretaries (Defense & State)

Directors: NSA, DIA, INR, ERDA, FBI

Senior Presidential Advisors

The other current intelligence publications are disseminated more widely throughout the Intelligence Community and the Executive Branch.

■ ANALYTIC PRODUCTION

Assistant to the President for National Security Affairs

NSC Staff

State

Defense

Treasury

FBI

ERDA

CIA

Other Executive Branch Elements as appropriate
Congress (via briefings and NID)

■ RESEARCH REPORTING

NSC

Other Executive Branch Elements as appropriate

Congress

Public (unclassified reports via DOCEX)

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