

10 June 1976

MEMORANDUM FOR: Office of Legislative Counsel

ATTENTION :

SUBJECT : Senate Select Committee Recommendations

1. Rereading these recommendations lined up one after the other demonstrates They are overlapping and some almost contradictory. In general, I would think the less legislation the better, but there are some topics on which it would be useful to lock the Community in by statute.

2. The following comments are numbered according to the sequence in your list, although some have to be grouped in order to comment on them.

1-3 & 22. Recommendation 1 actually subsumes a great many others such as 7, 16, 17, etc. I fear revision of the Act is inevitable, especially if our request for a second statutory deputy opens it up. Obviously, the more general its provisions the better. One problem that will surely arise is the wartime relationship of the DCI and the DoD. See especially the full text of 17e.

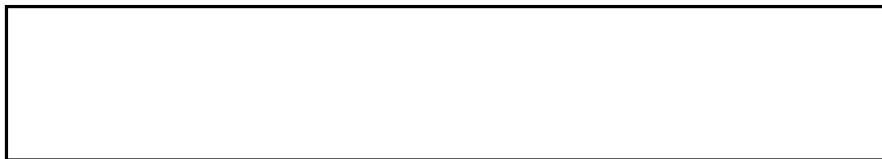
7, 16 & 17. Here is the place where a statute could reinforce E.O. 11905. In regard to 16, the Director's establishment of an Advisory Panel meets the Committee's recommendation for an outside board. While it is desirable to give the DCI by statute the means to carry out

his responsibilities, he should not be told how to do it. A statutory requirement for a board would do just that.

19. This was a recommendation of the Taylor group that goes beyond E.O. 11905. It is both legislatively complex and bureaucratically tricky. "Consider" is the operative word. Our position should probably be neutral, given the sensitivities involved, but we should not oppose.

21, 29 & 41. These three approach from various angles the organization of the office of the DCI and of CIA under the DCI. In the battle leading up to the issuance of E.O. 11905, the DCI took the position that he needed direct control over CIA as a bureaucratic base from which to operate. He has shown no indication of changing his mind and we should therefore oppose any reorganization. The subsidiary question, whether the DDI should somehow be separated from the Agency, is really an effort to ensure the independence of national intelligence production, as is now provided by the E.O. To my mind this is more dependent on the people involved and their ability to work together than on organizational arrangements. In fact, the DDI can report directly to the DCI when he needs to, as can the NIOs, and the close coupling among the Directorates and between them and the NIOs provides a responsiveness which would be lost if any separation took place. See the DCI's letter to Bill Bundy.

25. I do not see how the Secretary of State can chair a subcommittee of a CFI chaired by the DCI, nor do I see how any Secretary of State would be willing to give much time to "HUMINT," whatever the hell that abominable term means. The Human Resources Committee was made a DCI Committee so that it could serve the CFI and State is strongly represented on it. This seems to me to meet the requirement.



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31-34. They result from the weakness of the basic paper on production and I suggest we ignore them. If the Committee raises them, a briefing on what we are doing already should take care of the problem.

66. This is simply unworkable.

67. This is the obverse of 17 and 19 and would have to be done if changes in the DCI's statutory resource authority are made.

68 & 69. These are subsumed in 2.

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D/DCI/NI:RLehman:lm (10 June 76)

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