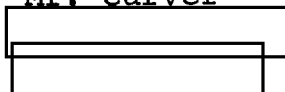


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15 August 1975

MEMORANDUM FOR: Mr. Taylor
Mr. Dirks
Mr. Carver

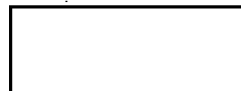


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1. Herewith Draft #5 (I think) of the new structure. It incorporates all the suggestions from yesterday plus a few others that became obvious. For instance the Boards and Committees paragraph broke down into recommendations.

2. In addition Ed Proctor gave me the attached comment. To meet his points I have included an additional paragraph on page 14 and a more extended discussion of NSA, including a recommendation. I have also finessed NPIC by dropping reference to it. He is quite right on this. NPIC would start tasking NRO rather than the producers as at present, and that would be disastrous. The paper doesn't suffer from the change.

3. There are also attached three substitute pages for "Role of the DCI".



Richard Lehman
Director
Strategic Research

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Attachments:
As Stated

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A central question has not been considered in the arrangements proposed in the paper:

America's foreign problems of growing importance and frequency that intelligence is being called upon to address are not in the military field. Yet most of the sources unique to intelligence are under the management of the Department of Defense (e.g., NSA and NRO). This together with the traditional and perhaps archaic outlook of the managers of these programs allows these resources to be used to satisfy some of the most insignificant needs of the military at the expense of some of the most important non-military intelligence problems. Continuation of RoD management of NSA will tend to continue this imbalance. Subordination of NSA to the DCI and separation of the functions of the DIRNSA(civilian) Commander and the/CCS (military) would go a long way toward fixing this.

I also shutter at the idea of consolidating NPIC and NRO to consciously create another NSA. It will become imbred and as self-serving as NSA has.

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R. Lehman
15 August 1975

The Role of the DCI

1. In any discussion of the organization and management of the Community, the DCI--what he is, what he does, what he is supposed to do--is the central issue. This paper focusses on the DCI's general responsibilities and powers as an introduction to the more detailed papers that follow.

Statutory Background

2. The National Security Act in essence sets up the DCI primarily to produce national intelligence, although it subsequently has been interpreted to permit him to collect and to conduct covert action. It implicitly makes him the leader of something that has come to be called the "Intelligence Community". It does not, however, specify his functions (beyond "correlate and evaluate") nor does it provide him with specific authorities over the agencies that make up the Community.

3. The President's letter of November 1971 made explicit some of the responsibilities that were only implicit in the Act. In so doing it increased the DCI's responsibilities without increasing his powers. He was directed to:

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The continuing review and assessment of collection results; and the establishment of requirements for new systems; product review, which includes both the final shpaing of the intelligence product to match the needs of the national consumer and a continuing evaluation of the product against those needs; and inspection. Note that all of these except inspection are interdependent and operate at the interfaces between the various communities.

Great Responsibilities

5. It is apparent that the DCI is a member in some sense of all the communities. It is also apparent that he wears three hats--as Presidential adviser, as head of "the Community" (Chairman of USIB, IRAC, and EXCOM),

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that concern more than one agency. He advises OMB on the Community budget. For the Congress, he provides intelligence, defends the Community budget, and advises on all foreign intelligence matters.

c. The DCI as Director of CIA. As DCIA, the DCI is a line officer administering a large independent agency under the NSC. He is a producer of intelligence for the mechanisms over which he presides wearing his other two hats. Quite distinct from these roles, he has a specialized line function as the agent of the President, or the NSC, in the implementation of foreign policy decisions through covert action and confidential communication with foreign governments. For the Congress, this DCI too is a source of foreign intelligence. It expects him to present and defend CIA's budget, and to account for its performance. He is required to inform the Congress of covert action programs; whether he will have to defend them is not yet established.

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A New Structure

The preceding papers have discussed in some detail the state of American intelligence today. They have identified a number of serious problems and, more generally, support a conclusion that the present situation is unworkable and unacceptable. Current political developments suggest that the National Security Act of 1947 will be rewritten; our analysis of the Act and the intelligence structure it established convinces us that it ought to be extensively revised. In this paper we seek to draw all the threads together and to present recommendations for a national intelligence structure that will meet the requirements of the next quarter-century. We are unanimous in our support of these recommendations, but wish to emphasize that we arrived at this position through an exhaustive examination of the various ways in which the system might be structured.

The Political Imperatives

Our recommendations grow out of a common view of the political and bureaucratic environment in which intelligence must function in the mid-70's. The public, the Congress, and the President have concerns and interests that constrain in general terms the problem that confronts us.

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1. Public attitudes toward the problems posed by an intelligence service in a free society are, of course, not homogeneous, or even mutually consistent. Much of the public gives scant consideration at all to intelligence problems. Furthermore, the most articulate segments of the public are often not fully representative of public attitudes. To the limited extent that generalizations are meaningful, "the public" probably:
 - Wants the benefits and protections of a strong intelligence structure, but has little sophisticated understanding of what that desire implies in specific terms.
 - Is confused by a number of the issues which are currently the focus of both press and Congressional attention--covert action, proprietaries, domestic collection, etc.
 - Wants to be reassured that U.S. intelligence is not a "rogue elephant", but is both accountable to and effectively controlled by the public's elected representatives, the President, the Congress, or both.

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2. Congressional Attitudes. At this writing, Congress also speaks with a multiplicity of voices. To the extent that we can make generalizations about Congressional attitudes, they appear to include the following:
- A desire for a strong intelligence system, or at least for the benefits of a strong intelligence system.
 - Inadequate understanding of the structural requirements for attaining these benefits, and especially of the degree of secrecy essential if they are to be attained.
 - A desire for a "correlation and evaluation" entity independent of any Cabinet department, especially of the Defense Department and the military services.
 - A recognition of the need for at least some clandestine collection operations, but without--so far--a matching willingness to face up to the secrecy requirements thereof.
 - A recognition of the need for covert action in some contexts; Congress also wants--or thinks it wants--a larger voice

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in the approval of such actions, but has not yet recognized the responsibility such a voice entails or the need for discretion it imposes.

--A desire for greater access to the intelligence product, although the constitutional implications of and obligations imposed by receiving classified intelligence are also matters Congress must ultimately face.

3. The Presidency. In discussing "the President's" attitudes, a distinction has to be drawn between the abstract needs of the office and the concrete attitudes of any specific incumbent. The former--especially as perceived by persons never likely to hold that office--may not always square with the latter. Nonetheless any President will probably:

--Want a strong intelligence system, including a strong, flexible and responsive covert action capability.

--Want reassurance that that system is under control--meaning his control and not anyone else's.

--Want the system run efficiently, with due regard for budgetary considerations.

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- Want the intelligence system and its activities not to be a source of political difficulty or embarrassment.
- Want independent advice, particularly in time of crisis, from capable people primarily loyal to the Presidency and independent of the Departments that execute policy.
- Need a system that can function well both in peace and in war, although the problems here involved--e.g., the national/tactical question--have not been thought through clearly.

4. A Given President. The specific attitude of any particular President will be very much shaped by his own personality, working style and confidence in his immediate associates (or lack thereof). Here, most generalizations are of little value. Given the formidable pressures and obstacles involved in being elected President, however, there is one generalization which probably has some validity. The holders of this office are likely to be strong-minded men inclined to place a high premium on loyalty in their subordinates, certainly in subordinates who enjoy

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their confidence. No President is likely to be charitably disposed toward, to make extensive use of, or to support any intelligence organization--or head thereof--that does not clearly acknowledge the primacy of its, or his, responsibilities to the Executive Branch and the President.

5. This President has an additional requirement. He has already suffered political embarrassment through revelation of past intelligence activities today considered by many to be unacceptable. These are not of his making, a fact that makes it both easier and more necessary for him "do something" about intelligence, to show that he is responsive to the public and Congressional mood. He also has an opportunity. His predecessors saw to varying degrees a need for structural reform in the intelligence system, reform they were unable to carry out without amending the National Security Act. This they were unwilling to do. Now, however, the Act is going to be reopened by Congress in any case.

We believe these Congressional and Presidential imperatives are not irreconcilable in any fundamental way. We believe they can best be met by an independent DCI presiding over an Intelligence Community shaped by the necessity to balance national and departmental needs.

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The President, in meeting Congressional requirements for fundamental reforms in the oversight of intelligence, can at the same time meet the Executive requirement for fundamental improvements in its management. This paper deals with these internal improvements, a subsequent one with external reforms.

A Stronger DCI

One common thread that runs through the preceding papers is that of responsibility without authority. This is reflected in the difficulties faced by the DCI in trying to enforce or even to make rational decisions across the entire range of intelligence management. In the production field he finds it extremely difficult to establish the primacy of national intelligence, containing as it does a coherent presentation of alternative positions, over uncoordinated departmental views. In the management of collection he lacks the power to enforce a systematic approach that can serve efficiently national needs while not neglecting departmental ones, both across and within collection systems. In resource management the budgetary weight of the Department of Defense makes it impossible for him to allocate resources rationally or to deal effectively with duplication and obsolescence.

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His position in a number of areas, most notably that of crisis management, is being eroded by encroachment of the military. In short, responsibility without authority is more than a cliché'.

To provide the authority of the DCI needs we believe two essential conditions must be met. The first is a point that has often been met in these pages but will bear repeating. The DCI need not be a close friend and confidant of the President, but he must have the President's confidence and support. Especially, he must have--and be seen to have--regular, frequent personal access to the Oval Office. Gen. Smith was able to be effective as DCI where Adm. Hillenkoetter was not largely because the members of the Intelligence Advisory Committee knew he had a weekly appointment with the President.

Presidential support, however, is not enough. It is reasonable to expect that the Secretaries of Defense and State will similarly have the Presidential ear, and can outweigh the DCI unless he is able to act within a framework that provides him stronger statutory authority. The main girder of this framework should be resource management. The stronger the DCI's voice in the allocation of funds, the easier it will be for him to impose rationality in other aspects of his job. We therefore

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recommend that a large segment of the intelligence budget now appropriated to Defense be instead appropriated to the DCI for further allocation to the various program managers. This would include the NRP, CCP, and some elements of the GDIP.*

This does not mean vesting operational control of these programs in the DCI. We have considered and rejected the concept of a unitary command structure for intelligence, either under an independent Director of National Intelligence or embedded in Defense or State. Rather, we are proposing a new concept of the DCI, one that would exchange his present powers (variously to command, advise, and persuade) for more effective and perhaps less conspicuous management powers at key points in the system.

We have earlier identified "communities" of resource managers, collectors, producers, and users of intelligence. In simplest terms these communities are inter-linked as follows: funds flow from resource manager to collector

* Such an arrangement was established for the Poverty Program in the 1960's. Funds were appropriated to the Director of the Office of Economic Opportunity but then delegated to the Department of Labor for actual program operation.

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and producer; raw intelligence flows from collector to producer; finished intelligence from producer to user; user then determines whether his needs have been met and states new needs to resource manager and to producer; producer states new requirement to collector, or resource manager provides funds to develop new collection capabilities.

We propose that the new DCI sit astride this system, controlling these linkages rather than exercising line authority over any of the communities.

--We have already stated that funds should flow through and be in broad categories allocated by him.

--He and his staff should carry out and integrate the collection management functions now assigned to COMIREX, the SIGINT and Human Sources Committees, and the Collection Guidance and Assessment Staff now in DDI.

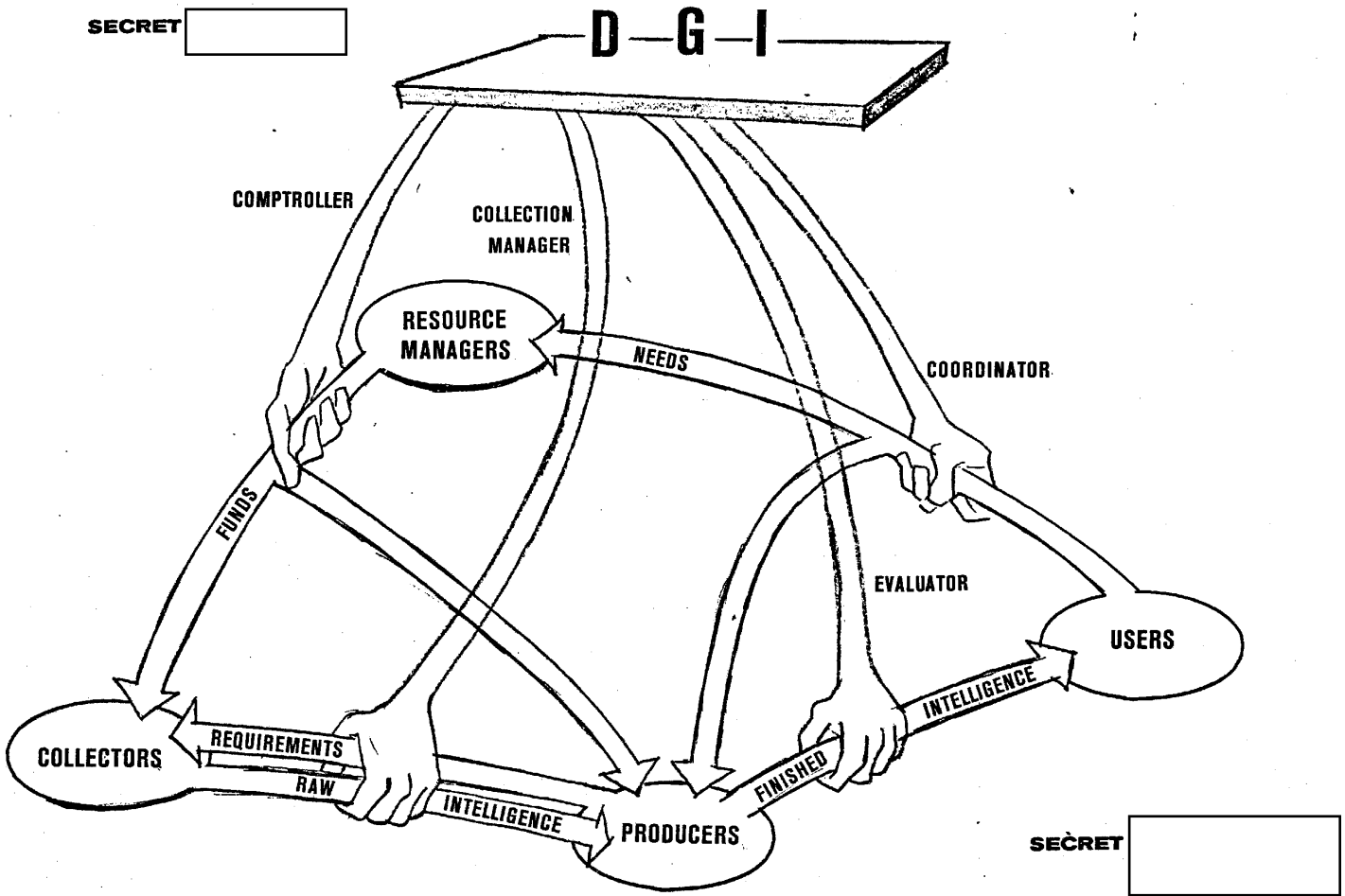
--He should continue to coordinate ("correlate and evaluate") finished intelligence production as he now does.

--He should seek consumer reaction to his product, evaluate it, and through this process identify gaps to be filled by tasking existing collection systems or by developing new ones.

Each of these functions is closely related to and dependent on the other three. (See attached sketch) The DCI must have a strong integrated staff if he is to make effective

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The DCI and the Community

CIA. A DCI who could effectively regulate the linkages among the various communities would have acquired greatly strengthened management powers at a time when there are political pressures to weaken him. Thus there must be a balancing decrease in his line authority over CIA, and we so recommend for this and a number of other reasons.

We recognize that a separation of the DCI from direct management of CIA has been suggested many times before, and as many times rejected. It was argued that:

- The National Security Act would have to be changed.
- The President could no longer look to one man for intelligence and covert action.
- The DCI would need a substantial staff.

We submit that the first two of these reasons are no longer valid. The third is obviously true, but not necessarily a reason for maintaining the status quo.

On the other hand, the reasons for such a separation are stronger than before.

- Both the 1947 Act and the President's letter of November 1971 give the DCI

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important responsibilities in the Community as a whole. His ability to exercise these responsibilities has been compromised by his role as head of the CIA, both externally in the Community and internally within the Agency.

--CIA continues to be widely criticized. A DCI not closely identified with it would be far more politically acceptable and available as the senior national intelligence officer. Indeed, a President would find it easier to give a DCI the access and confidence upon which his power must ultimately rest if the DCI were not himself considered an intelligence operator.

--Present arrangements already require the DCI to carry a number of very complex responsibilities; if we increase further his overall management and budgetary role, we must reduce his management span in other ways.

These reasons made a compelling case for an officer we will call Director-General for Intelligence, replacing the DCI as Presidential adviser and leader of the

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Community; and a Director/Foreign Intelligence Agency, separately appointed and confirmed, replacing him as Director of CIA (thus renamed). The D/FIA would be responsible to the NSC. We believe the DGI should be a statutory member of the NSC, both to increase his status relative to State and Defense and to clarify his relationship to the D/FIA.*

Defense. Another common thread running through these papers is the adversary relationship of CIA and Defense over a broad range of issues. It is here that the balancing of national and departmental interests becomes most difficult. On the one hand, the existence of an intelligence organization (CIA) not subject to the control of any other line department or agency within the USG is essential; on the other the Department of Defense, charged with responsibility for defending the nation, requires a measure of control over important collection, processing, and other intelligence activities which also contribute in major ways to the solutions of problems faced by CIA. These two facts are both the basis for many of the problems which have characterized the overall management of American intelligence since World War II and the reason why workable solutions to these problems are so difficult to develop.

* Hereafter, in speaking of the future, we will use the

terms DGI and FIA; in speaking of the present and

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--For a number of reasons, primarily the high cost of technical collection systems and their overlap with tactical intelligence, the bulk of the national foreign intelligence program budget involves Defense Department funds, controlled by that Department, plus personnel and physical assets also belonging to it. The President's letter of November 1971, however, makes the DCI in some way responsible for this budget, including funds for tactical intelligence.

--Moreover, the foreign problems most likely to preoccupy the national leadership, and therefore national intelligence, in the next few decades are political and economic. Yet the military orientation of the technical collection systems tends to favor relatively minor military requirements over major non-military ones.

--In a wartime situation, however, the military services' need for certain types of intelligence will be paramount, and neither they nor their civilian chiefs will be comfortable with any arrangement which does not give them control over the assets providing this needed support.

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--In peacetime, the military services are geared toward insuring that the intelligence needs of major US force commanders are met.

--The wartime/peacetime problem is complicated by an ambiguity inherent in the Defense Department's notion of the "National Command Authorities," a concept which includes the President and the Secretary of Defense, but does not include other officers of the government such as the Secretary of State and the DCI.

--There is an understandable resistance in the Defense Department, and particularly in the uniformed military, to the concept that at any group--especially a group of "civilians"--should provide independent analysis to the President which affect decisions regarding U.S. military forces.

Given these attitudes, a proposal to transfer substantial funds and authority from Defense to the DGI would obviously meet bitter resistance. Defense would

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have to be convinced that it would derive considerable benefit from the arrangement. We believe there would in fact be mutual advantage in an agreement between the DGI and the Secretary of Defense, ratified in statute, that both defines and greatly changes their respective roles in the management of intelligence.

In reaching such an agreement, it is important to see that the root of the problem lies in a failure to recognize the impact of planning for war on practice in peace. The role of the Secretary of Defense in wartime is very clearly established and is embodied in the NCA concept. The role of the DCI in war, on the other hand, is fuzzy indeed. This causes bureaucratic guerrilla warfare cross a wide front. There is much skirmishing for authorities, access, systems, resources--Defense because it will need them in war CIA because it needs them in peace. The result has been uneasy compromise, duplication, and rivalry; we still do not have a truly national intelligence system. Moreover, at the onset of war, or at various undefined points in a major crisis, national intelligence assets would be transferred piecemeal to Defense control under chaotic conditions. The nation would not be well served.

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If, however, we consider the question from the wartime end rather than, as we have since 1947, from the peacetime one, A "Gordian knot" formula becomes apparent. The National Security Act of 1975 might read more or less as follows:

The DGI shall be a member of the National Security Council responsible to the President, except that in the event of major hostilities he shall be responsible to the President through the Secretary of Defense, unless the President directs otherwise. When he is subordinate to the Secretary of Defense he shall retain the right to render substantive assessments independently to the President.

Such a formulation would tend to cause the interests of the Secretary of Defense and DGI to converge where they are now adversary. The Secretary would be more interested in seeing that the DGI built a strong intelligence system in peacetime, while the DGI would be more concerned that the system be designed to meet Defense's needs in peace or war. The DGI would be de facto a part of the National Command System, and his relationship to the National Command Authority would be clearly established. In the event of war, the

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entire system, including the DGI, would move to Defense as a unit with far less disruption of internal command mechanisms than would take place under present understandings. The door would be open to develop a more coherent system, with a unitary budget, in peace. At the same time, the Congress could be assured that the peacetime DGI was in fact independent of the Department of Defense.

Out of this arrangement Defense would gain as well as lose. The same disagreements that have prevented development of a true national intelligence system have also severely handicapped development of the military system. With the DGI clearly responsible for both wartime support of the military and for rational organization of that support in peace (in collaboration with DOD) a serious problem for military planners is removed. Defense can also expect national intelligence production to be more responsive to its needs. (This does not mean less objective). Finally, Defense would be relieved of several nagging administrative and budgetary headaches.

The extent to which the intelligence structure can be rationalized and its management strengthened depends directly on the degree to which the DGI-Defense relationship can be clarified and made compatible.

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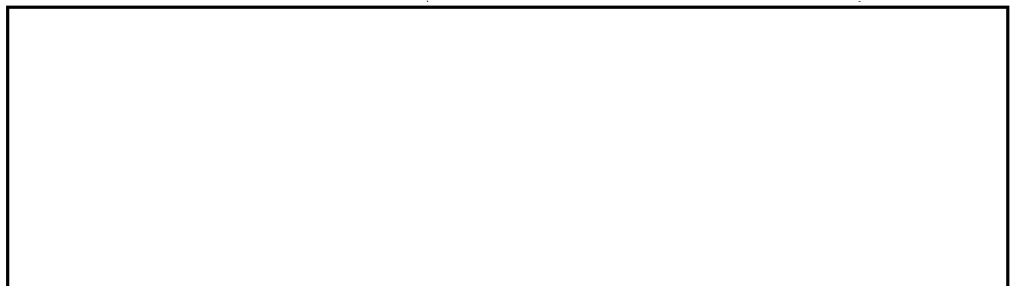
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State. The DCI's relationship with the Secretary of State is less complex than that with the Secretary of Defense. (We speak here of the general relationship, not of the unusual situation created by the dual responsibilities of Dr. Kissinger). It is also less troublesome, but there are nonetheless a number of important and persistent problems.

--As Defense resists independent intelligence assessment and reporting on matters affecting the military, State resists on matters affecting diplomacy. On the other hand, the DCI needs State support to strengthen the civilian hand in intelligence assessment.

--The most important single source of political and economic intelligence is Foreign Service reporting. State does not consider this to be intelligence and will not accept any linkage between it and intelligence requirement mechanisms.

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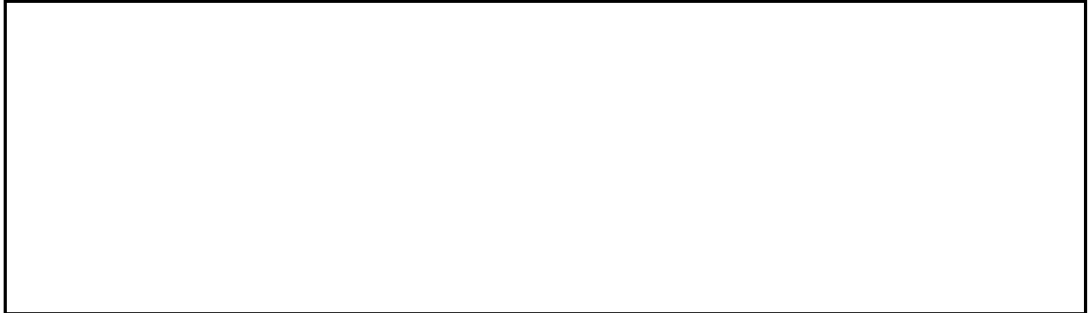


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--Covert action is, or should be, the subject of close coordination with State both in Washington and in the field.

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--The Intelligence Community must work with State through INR, but INR has little influence over the operational arms of State that control most matters of vital importance to intelligence.

Some of these problems would undoubtedly yield to the increased general authorities we propose for the DGI. There does not exist, however, any mechanism by which the entire range of Community-State relationships can be regulated at a senior level. We believe there should be an arrangement whereby the Under Secretary of State for Political Affairs is charged with these matters in the Department and the DGI is charged with coordination between him and the Community elements concerned.

NRO. A DGI armed with budgetary powers and a defined relationship with Defense will be in a position to manage technical collection more efficiently, to

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make more sensible choices, and to respond more flexibly to new requirements. Better arrangements will be needed, however, to link him with technical program managers. The NRO in its current form is an anomalous patchwork cobbled together in considerable bureaucratic strife; it cannot persist in its current form. The element of competition within the NRP is not as important in the present and future as it was in the past and the problems of coordinating within a structure designed for competition are becoming increasingly difficult. Second, the need for military commanders to derive direct support from satellite collection resources is becoming increasingly important, but a policy allowing each military service to pursue its own satellite collection programs would be prohibitive in cost, inefficient, and unnecessary. The current NRO organization with the Under Secretary of the Air Force as director is not well suited to meet this problem.

We recommend that the NRO be reorganized as a integrated operating organization under the D/FIA, jointly staffed by FIA and Defense. This would create an organization in some ways analogous to NSA, which has under NSCID #6 a clear line of command over virtually of the CCP. It would remain, however, subject to the broad guidance of an EXCOM chaired by the DGI. (We note that an NRO under CIA would balance an NSA under Defense.)

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NSA. The strengths of NSA are also its weaknesses. Unitary organization coupled with physical separation produces a self-contained (indeed, introverted) organization isolated from and resistant to legitimate external interests in its business. NSA is the hair shirt of any DCI seeking to exert any authority over it or even to extract the information he needs to form any judgment as to its effectiveness and responsiveness to national needs.

For reasons valid in the past but less so today NSA is dominated by the military. It is controlled by Defense, many of its personnel are in uniform, and its field intercept organization is run by the services. Military influence must be reduced if NSA is to be fully responsive to the growing political and economic needs of national intelligence.

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We recognize, however,

that NSA remains so entangled with Defense that fundamental change will be most difficult.

We therefore would take a cautious approach to the handling of NSA. In addition to funding the CCP through the DGI, we recommend only that NSA be placed under the guidance of an EXCOM chaired by the DGI. The EXCOM,

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however, would be changed as a matter of high priority with developing a program to "civilianize" NSA and studying the possibility of separating the functions of a civilian NSA from those of the military Combined Cryptologic Service, both with a view to the eventual resubordination of NSA either to the D/FIA or to the NSC, parallel to FIA.

Recommendations

In summary, our recommendations are as follows:

1. Amend the Act to create a DGI separate from the FIA and to establish a working relationship between him and the Secretary of Defense along the lines suggested on Page 17. Make him a member of the NSC.

2. Provide him with a staff capable of performing at least the "linkage" functions outlined on page 10 above, and with an inspection group as proposed in our paper on external controls. (There are of course many other staff functions that could be assigned, such as administration of a Community-wide intelligence career service.)*

* What elements of the present CIA he should take with him is a complex question that must ultimately be addressed. There are strong arguments in favor of a small staff limited to coordination, but there are also strong arguments for assigning to the DGI the production function.

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3. Charge him with preparation of a total intelligence budget covering the CIAP, NRP, CCP, and some elements of the GDIP Otherwise leave responsibility for GDIP in Defense. Appropriate funds for the programs covered by his budget to him for allocation according to guidelines jointly agreed with OMB and Congress. This would make it possible to abolish IRAC (retaining its useful R&D Council) and to eliminate the office of ASD/I.

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4. Charge the DGI with planning the transfer of national intelligence assets to the Department of Defense in war and with using these assets to meet the needs of Defense in peace and in war. Charge Defense with cooperating in this endeavour by providing access, staff support, and quality personnel. Charge the DGI with establishing a National/Tactical Planning Board, on which the U&S Commands would be represented, as the regulating mechanism for this program.

5. Create a new D/FIA appointed by the President and confirmed by Congress. Place under him the present CIA minus the DGI's staff. He would be under law responsible to the NSC but in practice would report through the DGI. (The extent to which he should be legally required to do so is an unsettled question).

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6. Reconstitute EXCOM with the DGI in the chair and the Deputy Secretary of Defense and a senior White House official, e.g. the Science Advisor if that Office were reestablished, as members. Charge it with broad budgetary and policy guidance over NRO, and NSA. In particular charge it with carrying out the studies suggested on page 23.

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7. Reorganize NRO as an integrated organization reporting to the D/FIA and jointly staffed by FIA and Defense.

8. Establish an Intelligence Coordinating Committee to regulate relations between the intelligence system and State (except for substantive production). This Committee would be chaired by the DGI and would include the Deputy Secretary for Political Affairs as its principal member.

9. Reconstitute USIB as an Intelligence Production Board under the DGI as chair, with its membership reduced to include only the major production organizations. The Board would retain the present substantive responsibilities of USIB. All other functions of USIB not otherwise re-assigned in these recommendations would become responsibilities of the DGI.

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10. Make the DGI Chairman of NSCIC. (The only way to get some consumer response is to give the interested party control).

These changes add up to a relatively "clean" arrangement, given the complexity of the matters involved. We believe they would greatly improve the management of US intelligence. We are fully aware that these changes are revolutionary as change goes in the bureaucratic world, and that they will meet strong resistance in many quarters. In particular, the ability of the DCI to meet military needs has not been tested and will be suspect. Nevertheless, these are traumatic times. They create both the need and the opportunity for radical change.

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