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NATIONAL ARCHIVES AND RECORDS SERVICE
WITHDRAWAL SHEET (PRESIDENTIAL LIBRARIES)

FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
1. Memo	R.C. McFarlane to General Scowcroft re submission of documents to the Senate Select Committee (35 pp.) <i>portions exempted 1/6/93 sanitized 6/19/03</i>	3/29/75	A
2. Memo	Deputy Director for Plans to Chief, CI Staff (2 pp.)	8/15/67	A
3. Cable	CIA Headquarters to CIA Addressees Abroad (4 pp.)	11/3/67	A
4. Report	Program Objectives - Special Operations Group, Counter Intelligence Staff (2 pp.)	6/1/72	A
5. Report	Program Intergency Relationships - Special Operations Group, Counter Intelligence Staff (3 pp.)	6/1/72	A
6. Report	Operational Program - Special Operations Group, Counter Intelligence Staff (3 pp.)	6/1/72	A

FILE LOCATION

Cheney Files
 General Subject File
 Intelligence - Buchen Memo re Release of Documents (1)

Box 7

RESTRICTION CODES

- (A) Closed by Executive Order 12356 governing access to national security information.
 (B) Closed by statute or by the agency which originated the document.
 (C) Closed in accordance with restrictions contained in the donor's deed of gift.

WHM, 5/30/85

Memorandum to the Record:

Sanitized versions of many of the documents closed in this folder are available for research in a CIA press release version of the Colby report located in the folder "Intelligence - Colby Report" in box 13 of the staff files of Vernon Leen and Charles Leppert.

William McFitt
Ford Library
5/30/85

THE WHITE HOUSE

WASHINGTON

April 2, 1975

MEMORANDUM FOR THE PRESIDENT

FROM:

PHILIP BUCHEN

P.W.B.

SUBJECT:

Request of Senate Select Committee to Study
Governmental Operations with Respect to
Intelligence Activities for Information

By letter dated March 12, 1975, Senator Frank Church on behalf of the Select Committee requested production of four categories of White House documents (Tab A).

We have now reviewed substantially all of the subject documents with representatives of the offices of Jack Marsh and Brent Scowcroft and with representatives of the intelligence community. Based upon that review we are now ready to recommend that a significant number of the documents be made available for review by the staff of the Select Committee no later than Tuesday, April 8, 1975. It is the joint judgement of all those who have reviewed the items that they will be helpful to the Committee in its initial objective of establishing the legal structure within which the intelligence community has operated and further, that the material contained in the documents to be released for review will not raise any undue security risks. In this regard we have been reassured by Director Colby's office that the security arrangements made by the Select Committee are satisfactory for the consideration by the Committee and its staff of classified documents.

We have attached (Tab B) an analysis prepared in the White House of the materials which have been requested under categories 2, 3 and 4 of Tab A so that the distinctions which we have made between materials that can now be released for review and those that cannot may be better understood.

TOP SECRET ATTACHMENTS

It is our expectation that an additional number of documents requested by the Select Committee in its letter of March 12 will be appropriate for review by the Committee staff within 14 days.

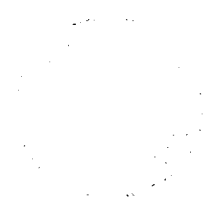
It is our further expectation that following the later release there will remain certain documents which are so sensitive or so central to the Presidency that they may be studied by representatives of the Select Committee, if at all, only under special circumstances. It may be, for example, that we will recommend that certain of these remaining items be revealed only to the Chairman and Ranking Minority Member of the Select Committee. Such a procedure has been agreed to in principle by the Select Committee.

Item number 1 requested by the Select Committee is the report submitted to you on December 24, 1974, by Director Colby concerning alleged improper activities by the CIA (Tab C). By reason of the substantial progress which we have made in processing all other items (2, 3 and 4) in the Select Committee's request of March 12, we must consider now the question of whether the Colby Report should be released in the very near future. Our present recommendation, subject to further consultation with Director Colby and other representatives of the intelligence community, is that we be prepared to release that report for review by the Select Committee during the week of April 14. Our reasons for this recommendation are:

- (1) Much, if not all, of the Annexes to Director Colby's Report have been independently requested from the CIA which will be releasing such reports during this same time period and with our approval, and the Colby Report puts that material in a better perspective than if staff and Committee members read such material by itself.
- (2) Neither our office nor any of the other representatives of the intelligence community have any reluctance to release the Report for review.
- (3) A withholding of the Colby Report at the same time we are furnishing substantially all of the balance of the documents requested by the Committee letter of March 12 will focus unnecessary controversy on the Report.
- (4) It is apparent from our discussions with the Committee staff that Select Committee members

regard the White House response to its request for the Colby Report as a major test of the White House willingness to cooperate.

This memorandum is to alert you to the fact that we will seek final approval of the release of certain documents (see Tab B) for review by the staff of the Select Committee no later than April 8, 1975. We will also wish to review with you our preliminary opinion that the Colby Report be released for review no later than the week of April 14, 1975.



FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
ROBERT C. BYRD, W. VA.
WALTER D. MONDALE, MINN.
WALTER D. HULL, ILL.
ROBERT MORGAN, N.C.
GARY HART, COLO.
WILLIAM C. MILLER, STAFF DIRECTOR
HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MCC. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

Sent to Buchan - [unclear]

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES
(PURSUANT TO S. RES. 21, 94TH CONGRESS)
WASHINGTON, D.C. 20510

*after
ack. by
Bill Headell
3/13 10:45*

March 12, 1975

The President
The White House
Washington, D. C.

Dear Mr. President:

On behalf of the Senate Select Committee To Study Governmental Operations With Respect To Intelligence Activities, Senator Tower and I want to thank you for the opportunity we had on March 5 to discuss the work of the Committee. I want to express my personal appreciation for the direct and forthright manner in which you addressed some of the initial questions that lay before the Select Committee, and your willingness to assist the Committee to meet its responsibilities under the mandate of S. Res. 21.

We are in agreement that the work of the Committee should proceed as expeditiously as possible and the Committee is gratified at the full and complete cooperation that we have received from the Executive agencies up to this point. In every respect thus far, the agencies have been fully cooperative with the Committee and the staff and I believe this augers well for a constructive and expeditious conclusion to our inquiry.

At our meeting on March 5th with you, we discussed the general areas in which the Committee would need initial documentation. As we discussed, our first requirements are to determine the legal basis for the activities for the intelligence agencies of the United States Government. In this regard, it will be helpful to the Committee to receive from whomever you may designate, the documents, files, and other papers that might be required to fully determine the legal basis for the activities of United States intelligence agencies. With the unanimous approval of the Committee, I respectfully request that the documents on the attached list directly relevant to the inquiry authorized by S. Res. 21, be supplied to the Committee at the earliest opportunity.

With kind regards,

Sincerely,
Frank Church
Frank Church

B

ATTACHMENT

1. The report furnished to the President by Director Colby in January 1975
2. All Executive Orders, National Security Decision Memoranda (NSDMs) or Intelligence Directives (NSCIDs), and other White House* directives pertaining to the charter, structure or guidelines for any overt or covert foreign or domestic intelligence agencies or activities.
3. All Executive Orders, National Security Council memoranda and directives, and other White House instructions pertaining to the structure, functions or organization of intelligence policy organizations within the Office of the President, including the Forty Committee and the Washington Special Action Group (and their predecessor organizations, e.g., the Operations Coordinating Board, Special Group, 54/12 Group, 303 Committee, etc.).
4. Organization charts and staffing patterns (for the present and, to the extent reasonably convenient, back to 1947) for all intelligence-related organizations within the White House (NSC, Forty Committee, OEP, WSAG, etc.) including names of key officials and staff personnel.

* "White House" as used in this listing is meant to include the President, the Office of the President, including the Assistant to the President for National Security Affairs, the National Security Council and the Office of Management and Budget.

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

MR 00-33, #139, CIA LEL 1/23/03

By dal, NARA Date 6/19/03

TOP SECRET

March 29, 1975

MEMORANDUM FOR: GENERAL SCOWCROFT
FROM: R. C. McFARLANE *RCM*
SUBJECT: Submission of Documents to the Senate Select
Committee on Intelligence Operations

To facilitate preparation of a response to Senator Church's request (Tab A) for documents pertaining to the charter structure, functions or organization of intelligence policy organizations, you directed a review of all NSC files since enactment of the National Security Act (1947). This review has produced more than 100 documents of various classifications and currency.

Prior to submission of the NSC response, it is appropriate to consider the substance of each document to confirm the legitimacy of its classification and, where material of particular sensitivity is concerned, to recommend special handling procedures in the interest of precluding damage to the foreign relations or national security of the United States or compromise of sensitive sources and methods as appropriate. This memorandum reflects the results of that review and makes recommendations as to the form in which the information should be reported to the Congress.

National Security Council Intelligence Directives

1. Basic Duties and Responsibilities

This document (Tab B) prescribes the organization and division of responsibilities of the various elements of the intelligence community. The only areas that may be considered worthy of classification are: the assignment (on page 2) to the DCI of responsibility for formulating policies with respect to arrangements with foreign governments on intelligence matters; and the tasking of the DCI (page 6) to make arrangements with other departments and agencies for the exchange of CIA personnel for advisory, operational, or other purposes. It would be difficult to substantiate that disclosure of the former relationship would damage U.S. foreign relations or create a risk to sensitive sources and methods. In the latter case, the exchange program

TOP SECRET



may be reasonably explained as designed to assist other producing and consuming agencies in their intelligence functions. This practice is not related to the mutual assistance provided between agencies for "cover" positions which is discussed in NSCID 5.

It is conceivable that a case could be made for maintaining the classification of NSCID 1 on the basis that the description provided of our intelligence community and of the responsibilities assigned to its principle actors, could, in itself, describe a "method" and thus should remain classified. The more conventional interpretation of "method" concerns methods used in the actual collection and evaluation of information and it is doubtful that an assertion that organization constitutes "method" could be sustained. On the basis of the above, it is recommended that NSCID 1 be declassified and provided to the Committee.

Approve _____

Disapprove _____

2. Coordination of Covert Collection Activities (Tab C)

This directive assigns primary responsibility for collection efforts in particular categories (political, sociological, economic, scientific and technological, military) as between the CIA, State and Defense. One area of possible sensitivity concerns the identification (paragraph 5) of the senior U.S. representative in each foreign country (the Ambassador) as the coordinator of collection activities in that country. The State Department does not normally like to have its foreign service officers identified as intelligence collectors and asserts that to do so might impair their image. State prefers to maintain the image of dissociation from CIA activities. Nevertheless, the awareness in the diplomatic community of the inherent responsibility of political officers for gleaning intelligence is well known and thus this assertion would be hard to maintain as a basis for classification.

The other area of possible sensitivity concerns the tasking (paragraph 7) of the CIA to exploit within the United States non-governmental organizations and individuals as sources of foreign intelligence information. This information has already been made public, however, by the DCI in his testimony before the Appropriations Committee which was published in the New York Times. Accordingly, it is



recommended that NSCID 2 be declassified and provided to the Committee.

Approve _____

Disapprove _____

3. Coordination of Intelligence Production

This directive provides definitions and assigns responsibility for the production of national intelligence surveys and for the production of categories of current intelligence by State, Defense and the CIA. Here again, State is identified as a producer of intelligence (political, economic, and sociological) which might be considered to tarnish its image. To the extent that that responsibility is common knowledge, however, it is recommended that NSCID 3 be declassified and provided to the Committee.

Approve _____

Disapprove _____

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The abstract also does not name the specific target countries.

5. U.S. Espionage and Counterintelligence Activities Abroad (Tab G)

This NSCID sets forth definitions of espionage and counterintelligence and tasks the DCI to establish procedures for the direction and coordination of all clandestine activities in the government. It further tasks the DCI to make arrangements for "cover" support of CIA and other department operatives. In addition, it assigns primary responsibility for the conduct of espionage and counterintelligence, liaison with foreign clandestine services, maintenance of records, coordination of results with other agencies, and provision of appropriate cover support to other agencies to the DCI. It also provides authority for other agencies to conduct espionage in the fulfillment of departmental intelligence requirements and to perform counterintelligence for the security of their personnel, installations and activities. It also establishes the chain of command and reporting requirements for agency operations in overseas areas in peacetime and in time of war. Finally, it tasks the DCI to make policy recommendations to the NSC for the conduct of clandestine activities and to insure conformity of all activities with policies approved by the NSC, and to coordinate its foreign activities with the Department (Justice) responsible for domestic counterintelligence. To the extent that clandestine intelligence collection may be considered a "method" and that the disclosure of this method could worsen our relations with certain countries, it is recommended that NSCID 5 and its predecessors remain classified and not be provided to the Committee but that instead a classified abstract (Tab H) be provided. The abstract makes no direct mention of the authority for other agencies to conduct espionage or counterintelligence abroad, nor does it mention the use of "cover" positions directly.

Approve _____

Disapprove _____

6. Signal Intelligence (Tab I)

This directive provides definitions and prescribes the duties of the Secretary of Defense, the Director, NSA and the DCI for COMINT and ELINT. The responsibilities are described in very



general terms and only in Paragraph 5. A, is there any information that might be considered sensitive.

..... Accordingly, it is recommended that Paragraph 5. A, not be provided to the Committee but that a sanitized unclassified version of the NSCID, together with a classified abstract of Paragraph 5. A (Tab J), be provided to the Committee.

*Declassify
all that para
to make it unclassified*

Approve _____

Disapprove _____

7. Critical Intelligence Communications (Tab K)

This directive provides for the establishment of a critical intelligence communications system for the rapid transmission of critical intelligence as defined by the DCI. There is nothing particularly sensitive about it, however, nor would its disclosure appear to compromise sensitive sources or methods or to affect the foreign relations of the United States. Thus, it is recommended that it be declassified and provided to the Committee.

Approve _____

Disapprove _____

8. Photographic Interpretation (TAB L)

This directive establishes the National Photographic Interpretation Center (NPIC) and describes its functions and responsibilities. The existence of the NPIC has appeared in the press several times and there is nothing particularly sensitive about the fact of its existence. Thus, it is recommended that NSCID 8 be declassified and provided to the Committee.

Approve _____

Disapprove _____



9. Obsolete and Superseded NSCIDs (Tab M)

It is not clear that we are required to submit obsolete or superseded NSCIDs. Senator Church's request (Tab A) in mentioning NSCIDs in Paragraph 2, makes no mention of their predecessors. The request does, however, in Paragraph 3, ask for NSC memoranda pertaining to intelligence policy organizations including the 40 Committee and its predecessor, thus implying an interest in past policy directives and organizations. Without prejudice to whether the requirement exists or not, I have examined all of them and have found that in virtually all cases, the predecessor NSCID contains identical guidance and has only been updated to account for the change in names of the Committees from one Administration to another. Similarly, the numbering system has remained relatively constant for the past 15 years. Prior to that time, while the material is essentially the same, the sequence in which the NSCID's were published differed somewhat. Thus, for example, NSCID 7, published in February of 1948, addressed espionage and counterintelligence -- the subject now addressed by NSCID 4. It is also true that some of the earlier NSCIDs were somewhat broader in their authority than are the current versions. For example, the above mentioned NSCID 7 of February 1948, authorized the CIA to "collect through the establishment of field offices within the United States, foreign intelligence information required in the interest of the national security or by the individual intelligence agencies." In addition, in the early days, additional subjects were covered such as "responsibility for collection of foreign, scientific and technological data (a subject now subsumed within NSCID 2), security of information and intelligence sources (a subject now covered by NSCID 1), avoidance of publicity (not now covered), coordination and production of foreign economic intelligence (now subsumed within NSCIDs 2 and 3), foreign language publications (not now covered), and a separate NSCID on electronic intelligence (now subsumed within NSCID 6).

In sum, a basic decision is first required as to whether or not to provide outdated and superseded NSCIDs at all. It is my judgment that it can do no harm if the parallel subject matter is treated in the same way as the current versions; that is, that none of the obsolete NSCIDs would be classified except for those on defection and espionage and counterintelligence. In these cases, the NSCIDs,



which contain essentially the same guidance as is contained in the current versions, would not be provided but instead a classified abstract, similar to the abstract proposed for NSCIDs 4 and 5 would be submitted. It is recommended that since no sensitive material is contained in the outdated NSCIDs except in the cases of those addressing the defection program, espionage and counter-intelligence, that the outdated NSCIDs be provided in unclassified form and that those addressing defection, espionage and counter-intelligence be provided in the form of a classified abstract.

Approve _____ Disapprove _____

10. Memorandum Creating the WSAG (Tab N)

This memorandum is straight forward and there is nothing in it that is sensitive. It is recommended that it be declassified and provided to the Committee.

*Show them
it and intl.*

Approve _____ Disapprove _____

11. White Press Release on Reorganization of Intelligence Community November 5, 1971 (Tab O)

This press release accompanied the Presidential decision after review of the Schlesinger report. It is of course, unclassified and to the extent that it provides a useful summary of the actions taken on that occasion, it is recommended that it be provided to the Committee.

Approve _____ Disapprove _____

12. President's Memorandum on Organization and Management of the U.S. Foreign Intelligence Community - November 5, 1971 (Tab P)

This was the President's directive to the bureaucracy that paralleled the press release calling for implementation of a number of decisions after review of the Schlesinger report. It contains general information,



requires submission of a consolidated intelligence budget, creation of the IRAC, reconstitution of the USIB, establishment of the NSCIC, establishment of the Net Assessment Group, retention of the present management structure of the NRO, creation of a unified National Cryptologic Command, and one or two other consolidating efforts within the Defense Department. The references to the NRO and establishment of the National Cryptologic Command are the only references which could justify classification. It may be worthwhile as a separate exercise to consider the declassification of the names of these units. Accordingly, it is recommended that I investigate this possibility at the next meeting of the ad hoc group. Pending that determination, it is recommended that this memorandum be withheld.

*Classified by [unclear] on [unclear] 1971
 Declassify on [unclear]*

Approve _____

Disapprove _____

13. President's Letter to Director Helms - November 5, 1971 (Tab Q)

This letter accompanied issuance of the directive mentioned above. It is general in tone and charges the Director to carry out his new responsibilities with priority attention. While it could be considered a disclosure of a "method," that defense is very tenuous. Thus, it is recommended that the letter be declassified and provided to the Committee.

Approve _____

Disapprove _____

14. Membership of NSCIC Working Group - October 30, 1974 (Tab R)

This memorandum established membership on the NSCIC Working Group. It is unclassified and it is recommended that it be provided to the Committee as describing structure.

Approve _____

Disapprove _____



15. Establishment of the International Economic Intelligence Requirements Subcommittee of the NSCIC - October 31, 1974 (Tab S)

This memorandum from Dick Ober to the DCI provided NSC concurrence to the latter's proposal to establish an NSCIC Subcommittee on International Economic Intelligence. Consideration is being given within the Committee to existing the names of working level people. In that Bob Hormats is listed as the NSC rep to this Committee, subject to this decision his name could be deleted. Subject to that determination, however, it is recommended that the memorandum be provided to the Committee.

Approve _____ Disapprove _____

16. National Security Action Memorandum #38 (Tab T)

This April 1961 memo from MacBundy to the Director, BOB, asks for a study of alternatives to funding such activities as RFE,

The memo is classified "Secret" and I believe it should remain so since its disclosure could worsen our foreign relations withAsian countries. As a separate matter, it would also peak their committees interest in seeing the response to this study request I will ask Jeanne for that separately. Subject to receiving it and separate staffing, it is recommended that no action be taken on this document at this time.

Approve _____ Disapprove _____

17. NSAM 57 - Assignment of Responsibility for Paramilitary Operations (Tab U)

This memorandum defines paramilitary operations, states U.S. policy for rendering assistance to such operations overtly, covertly or by a combination of both methods and establishes a procedure for the development of paramilitary operation plans and their approval. Finally the directive delineates when paramilitary operations will be conducted by the CIA and when by the Department of Defense. It is recommended that this document remain classified but that it be provided to the Committee.

Approve _____ Disapprove _____



No
Disapprove
Committee
Bob Hormats
is not
part.

(NOTE: It is to be expected that provision of this document will prompt a request for a description of operations carried out under its authority. It is hoped that we will be successful in choosing one or two prototype operations that can be sanitized to demonstrate the concept without compromising sources, methods and relationships.)

18. NSAM 124 - Establishment of the Special Group (Counterinsurgency)
(Tab V)

This January 1962 memorandum signed by President Kennedy established a special group to insure the use of all available resources with maximum effectiveness in preventing and resisting subversive insurgency and related forms of indirect aggression in friendly countries. The memorandum stated the objectives of the Group, the most important of which is "to insure the development of adequate interdepartmental programs aimed at preventing or defeating subversive insurgency and indirect aggression in countries and regions specifically assigned to the special Group." An annex to the memorandum assigned the group cognizance over three countries at that time -- Laos, South Vietnam and Thailand. It is recommended that this memorandum remain classified in view of the damage that could result to our foreign relations were it to be disclosed.

Approve _____

Disapprove _____

19. NSAM 136 (Tab W)

This memorandum from McBundy to the Attorney General questions the continued placement of the interdepartmental intelligence conference and the interdepartmental committee on internal security under the NSC. These committees were charged with insuring within their respective fields, the highest practicable state of internal security including plans and preparations for a war time emergency. The memorandum contains no sensitive information. Both committees are now moribund although they still exist on paper under the aegis of the Justice Department. About 6 months ago, Justice made a run at doing away with the interdepartmental committee on internal security. As I recall, the request died in our staff for lack of



interest but perhaps it would be worthwhile to resurrect it and go ahead and put it out of business. It is recommended that this memorandum be declassified and provided to the Committee.

Approve _____ Disapprove _____

20. NSAM 161 (Tab X)

This June 1962 memorandum is in follow-up to NSAM 136 and formalizes the decision to place both of the above committees under the aegis of the Department of Justice. The only possible sensitive area is the listing of recipients of carbon copies. I will request that working level names be expunged. Apart from that, however, it is recommended that it be declassified and provided to the Committee.

Approve _____ Disapprove _____

21. NSAM 165 - Assignment of Additional Responsibility to the Special Group (Tab Y)

This June 1962 memorandum provided the names of 8 countries to the special group for their cognizance in the counterinsurgency context. To the extent that its disclosure could cause some minor impact in our relations with these countries, it is recommended that it remain classified but that it be provided to the Committee.

*This is not
situation at all
but substantial
No*

Approve _____ Disapprove _____

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Submittal to P&S

23. NSAM 180 (Tab AA)

This MacBundy memorandum adds USIA to the membership of the Special Group (counterinsurgency). It is recommended that it be declassified and forwarded to the Committee.

Approve _____ Disapprove _____

24. NSAM 184 (Tab BB)

No Submittal

This memorandum assigns Bolivia to the Cognizance of the Special Group and removes Cameroon. It is recommended that it remain classified and that it be provided to the Committee.

Approve _____ Disapprove _____

25. NSAM 186 (Tab CC)

No Submittal

This McBundy memorandum deletes Burma from the Cognizance of the Special Group. It is recommended that it remain classified confidential and that it be provided to the Committee.

Approve _____ Disapprove _____

26. NSAM 196 Establishment of an Executive Committee of the National Security Council (Tab DD)

This memorandum, signed by President Kennedy, established a committee to serve as a crisis management group during the Cuban Missile Crisis in October of 1962. It is unclassified and it is recommended that it be provided to the Committee. The attachment of the list of names of those who attended meetings of the Committee will be treated in accordance with the decision reached on the provision of specific names in negotiations with the Committee.



27. NSAM 203 Responsibility for Port Security (Tab EE)

10 - Port Security

This memorandum, which assigns responsibility for port security to the Treasury Department, asks the Secretary to keep the Attorney General informed of his activities through the Inter-Departmental Intelligence Conference and the Inter-Departmental Committee on Internal Security, and for the latter reason (mention of an intelligence body) is included. It is recommended that it be declassified and provided to the Committee.

Approve _____ Disapprove _____

28. NSAM 204 (Tab FF)

Upon the appointment of General Taylor as Chairman, Joint Chiefs of Staff, this memorandum was issued to update the membership on the Special Group with the Department of State representative designated to serve as Chairman. It contains no new information, however, but does include the name of Michael V. Forrestal as the NSC representative. The mention of this name will be handled in accordance with the decision reached on providing working level names. It is recommended that the memorandum be declassified and provided to the Committee.

Approve _____ Disapprove _____

29.

*NO
This is not
originally
intended*



30. NSAM 303 (Tab HH)

This memorandum changed the name of the 5412 Special Group to the 303 Committee. It is recommended that it be declassified and provided to the Committee.

Approve _____ Disapprove _____

31. NSAM 327 (Tab II)

This March, 1965 MacBundy memorandum disestablished the Net Evaluation Subcommittee of the NSC. It is recommended that it be declassified and provided to the Committee.

Approve _____ Disapprove _____

32. NSAM 368 Tab JJ)

This memorandum directed the DCI to review the PFIAB Report recommending the establishment of an intelligence handling system. The report (attached) notes, among other inefficiencies of the system in use at the time, the duplication ofin several agencies. This reference probably refers to It is recommended that the memorandum and the attachment be declassified and provided to the Committee.

Approve _____ Disapprove _____

33. NSDM 40 (Tab KK)

As you know, this NSDM provides authority and sets forth procedures and responsibility for the planning, approval and conduct of covert operations. It also brings a number of DOD reconnaissance activities (JRC Monthly Schedule, NRO Operations and NURO Operations), under the Cognizance of the 40 Committee. The NSDM also states that "covert action operations shall include any type of activity necessary to carry out approved purposes, except that they will not include armed conflict by regular military forces or cover an deception for active military operations by the armed forces of the United States. The Committee will, in all probability, view this NSDM as central to its work, and would probably not accept an abstract. Nor, is it likely that they would accept restricted sighting by the Chairman and ranking Republican. In short, I believe we must provide it, but would recommend that it remain classified "Top Secret."

Approve _____ Disapprove _____

Lab. This is advised to the President.



35. Memorandum from President Ford to the DCI

If I recall correctly, this memorandum was done by OMB and is similar to one sent to all Cabinet Officers. It charges them to carry out effective management techniques in their supervision of department activities and stresses the importance of their work. It is recommended that it be provided.

Approve _____ Disapprove _____



35. NSDM-2 - Reorganization of the NSC System (Tab NN)

This NSDM issued on Inauguration Day, 1969, outlined the organization and functions of the NSC and its subelements (Review Group, USC, IGs, Ad Hoc Groups). It superseded NSAM 341 which is not attached but which I have requested. Although it does not deal with the intelligence community per se, it does establish the overall framework to be supported and thus would be of interest to the committee. It contains nothing sensitive and it is recommended that it be provided to the committee. It is classified Confidential.

Approve _____ Disapprove _____

36. NSDM-8 - Crisis Anticipation and Management (Tab OO)

This NSDM established the requirement for contingency planning in anticipation of potential crisis situations. It summarized the benefits to be derived from contingency planning and tasked the Review Group to issue instructions for the development of these plans and requested the Under Secretaries Committee to determine the organization and procedures for crisis management. Again while not dealing with intelligence matters per se, it provides useful background and it is recommended that it be provided to the Committee. It is classified Confidential.

Approve _____ Disapprove _____

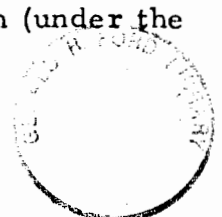
37. NSDM-19 - Washington Special Actions Group (Tab PP)

This NSDM directed that contingency plans developed in accordance with NSDM-8 be forwarded to the WSAG vice the Review Group and USC. It contains nothing sensitive and it is recommended that it be provided to the Committee.

Approve _____ Disapprove _____

38. NSDM-82 - Revision of the U. S. Port Security Program (Tab QQ)

This NSDM supersedes NSAM-203 and provides updated guidance for the management of the U. S. Port Security Program (under the



aegis of the Secretary of Transportation). The NSDM states the U.S. objectives of insuring protection of vessels, harbors, ports, and waterfront facilities from threats of espionage, sabotage, intelligence collection, and related subversive activities such as could result from visits by Communist flag vessels. It tasked the Secretary of Transportation with promulgation in consultation with State, Defense, Justice, and CIA of a port security program that would support the above objectives. It does not deal specifically with the role of the CIA in supporting this program but to the extent that it levies a requirement for support of a domestic program -- however foreign in its substance -- it may be considered tangentially relevant to the committee's field of interest. It contains nothing sensitive and it is recommended that it be provided to the committee. It is classified Confidential.

Approve _____ Disapprove _____

39. NSDM-85 - The National Security Council's Senior Review Group (Tab RR)

This NSDM established the Senior Review Group to include specification of its membership (to include the DCI) and definition of its responsibilities. It was also to subsume responsibilities of the Special Review Group for Southeast Asia and the Ad Hoc Group for the Middle East which had been previously established. There is nothing particularly sensitive in it and it is recommended that it be provided to the committee. It is classified Secret.

Approve _____ Disapprove _____

40. NSDM-224 - National Net Assessment Process (Response to NSSM-178) (Tab SS)

This NSDM, issued after review of a response to NSSM-178, established a net assessment standing committee with representation from State, Defense, the DCI, and chaired by a representative of the NSC staff to carry out national net assessments in response to NSSMs. The products would be forwarded to the NSC IC. There is nothing particularly



sensitive in it, although it may be expected that the committee may become interested in the effectiveness of that organization. It is classified Secret and it is recommended that it be provided to the committee.

Approve _____ Disapprove _____

41. NSDM-239 - National Net Assessment Process (Tab TT)

This NSDM transferred responsibility for management of the National Net Assessment Program to the Secretary of Defense, to be assisted by the Secretary of State and the DCI. It further directed that completed net assessment studies be forwarded to the Assistant to the President for National Security Affairs for his information. It is classified Confidential and it is recommended that it be provided to the committee.

Approve _____ Disapprove _____

42. NSDM-253 - Membership of the NSC IC (Tab UU)

This NSDM updated the membership of the NSC IC to include an Under Secretary of the Treasury and reaffirmed the committee's responsibility to "give direction and guidance on national substantive intelligence needs and provide for a continuing evaluation of intelligence products from the viewpoint of the intelligence consumer." It is classified Secret and it is recommended that it be provided to the committee.

Approve _____ Disapprove _____

43. NSDM-265 - The NSC System (VV)

This NSDM, issued August 9, 1974, reaffirmed the provisions of NSDM 1 and 2 and subsequent NSDMs which set forth the organization and procedures of the NSC System. It stated that the NSC System would continue to function under the direction of the Assistant to the President for National Security Affairs and further designated Dr. Kissinger to that position. It is classified Confidential and it is recommended that it be provided to the committee.

Approve _____ Disapprove _____



44. NSSM-178 - Program for National Net Assessment (Tab WW)

This March 29, 1973 NSSM directed that a paper be prepared to define the National Net Assessment Process, discussed methodology to be followed in preparing National Net Assessments and established reporting and coordination procedures. It is classified Secret and it is recommended that it be provided to the Committee.

Approve _____ Disapprove _____

45. NSSM-186 - National Net Assessment of the Comparative Costs and Capabilities of U.S. and Soviet Military Establishments (Tab XX)

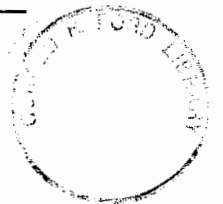
This NSSM, the first in implementation of the Net Assessment Program, directed that a study be prepared on the comparative costs to the U.S. and Soviet Union to produce, maintain and operate comparable military forces. It directed that the initial phase of the study concentrate on ground forces. It is classified Secret and it is recommended that it be provided to the Committee.

Approve _____ Disapprove _____

46. List of Members and Officials of the NSC (Tab YY)

This package contains a listing of the statutory and other members of the NSC since its creation in 1947. It also provides a summary of amending legislation which changed statutory membership of the NSC as well as a list of former NSC "officials." (In that context it notes the membership of J. Patrick Cone, 1949-1961 as Special Assistant on Internal Security.) The omission of Dr. Kissinger may be expected to lead to questions in view of the listing of Walt Rostow, Mac Bundy and others. Since the Church request asks for names of "key officials and staff personnel," I believe we would be better off to list Dr. Kissinger. It is recommended that the paper, which is unclassified, be provided to the committee with Dr. Kissinger's name included in the "officials" category.

Approve _____ Disapprove _____



47. Recommendations regarding the National Security Council (1953) (Tab ZZ)

This memorandum for the President from Robert Cuttler contains recommendations, subsequently approved by President Eisenhower, for the organization and functioning of the NSC and its support staff in the Eisenhower years. It prescribes the way in which the planning and operational aspects of national security issues would take place within the government and how the departments and agencies would relate to the NSC. It also set forth in considerable detail the organization of the staff and the way in which planning would be carried out. As mentioned elsewhere, it includes the fact that there was a staff officer for internal security. It contains no sensitive information, however, and it is recommended that it be provided to the Committee. It holds a classification (no longer valid) of "Restrictive Security Information."

Approve _____ Disapprove _____

48. Operations Coordinating Board (Tab 1)

This February 1958 pamphlet set forth the organization and functions of the Operations Coordinating Board which had been established in September, 1953. The pamphlet, which is unclassified, describes the membership, to include the DCI, and explains its responsibilities as basically to supervise the implementation of policy after decisions have been reached by the President. The pamphlet is of a general nature, is unclassified, and contains nothing sensitive. It is recommended that it be provided to the committee.

Approve _____ Disapprove _____

49. NSC-4 - Report to the National Security Council on Coordination of Foreign Information Measures (Tab 2)

This report called attention to Soviet efforts through propaganda and actions by communist parties throughout the world to subvert U.S. interests and urged the establishment of a system to strengthen the coordination of all U.S. foreign information measures so as to



strengthen our ability to influence attitudes in foreign countries in a direction favorable to the attainment of U.S. foreign policy objectives. The directive charged the Secretary of State with responsibility for developing a system to coordinate the U.S. foreign information program with the assistance of the Secretaries of the Army, Navy and Air Force. The only reference to the CIA was a requirement that the State Department be furnished with appropriate coordinated foreign intelligence. The directive was approved on December 18, 1947. The document contains nothing particularly sensitive nor is it particularly relevant to the Committee's primary area of interest. Thus it is recommended that it not be provided to the Committee.

Approve _____

Disapprove _____

50. Annual Report of the Interdepartmental Coordinating Staff (Tab 3)

This report is a State Department document which summarizes the activity of the staff established under NSC 4 for coordinating the U.S. foreign information program. It is an internal document and thus need not be provided nor does it provide any particularly relevant information. It should also be noted that it does, however, raise a couple of points (see clip) which could generate Committee questions gratuitously. Thus it is recommended that it not be provided to the Committee.

Approve _____

Disapprove _____

51. NSC 10 - Covert Operations (Tab 4)

This document dated May 12, 1948, provides a draft directive to be considered by the NSC outlining U.S. policy toward covert operations and fixing responsibility for their planning and conduct. It was considered by the NSC and returned to the staff for further work. Thus it may be considered an internal document and need not be provided to the Committee. To the extent that it does raise some sensitive points (see clips) such as mentioning specific countries in which covert operations had been carried on,



it is recommended that it not be provided to the Committee.

Approve _____ Disapprove _____

52. NSC 10/1 (Tab 5)

NSC 10/1 is the revised directive called for in NSC 10. It raises a number of points that require further work. For example, it states that the CIA had been charged by the NSC with responsibility for conducting espionage and counter-espionage operations. The Committee may be expected to ask for the document that provided tasking. I have asked Jeanne for it and will staff this to you separately. It also states that covert operations pertaining to economic warfare would be conducted by the CIA with guidance provided by the Departments responsible for the planning of economic warfare. This implies that there had been a separate tasking of departments or agencies for this planning. I have similarly asked Jeanne for any documentation we may have to that affect. Finally, it refers in the final paragraph to a document which it supersedes. That document (NSC 4-A) is not included in our package and I have also asked Jeanne to see if it is available. When the document was considered, by the NSC, it was modified and approved and issued as NSC 10/2. Thus, this may be considered an internal working document and need not be provided to the Committee.

Approve _____ Disapprove _____

53. NSC-10/2 - Creation of an Office of Special Projects Within the CIA to Plan and Conduct Covert Operations (Tab 6)

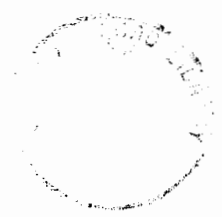
As outlined above, this is the document which provided authority and assigned responsibility for the conduct of covert operations. The Directive raises a number of



points which should be considered. In the first paragraph it refers to "Vicious Covert Activities of the USSR." It is to be expected that the Committee will ask the Director to provide data documenting these activities. It is recommended that we not provide any information in this area as a matter, the compromise of which would endanger our foreign relations. We should seek the Committee's cooperation in structuring its report to avoid any sensitive references to the Soviet Union.

Paragraph two makes reference to the CIA being "charged by the NSC with conducting espionage and counterespionage operations abroad." The Committee may be expected to ask for the documentation that provided that authority and as indicated above, I have asked Jeanne Davis to research that. The Directive goes on to establish an office of special projects within the CIA to plan and conduct covert operations and requires that a qualified person be nominated by the Secretary of State in coordination with the DCI and approved by the NSC to serve as chief of the office. The Directive further states that the DCI will be responsible for insuring that covert operations are planned and conducted in a manner consistent with U.S. foreign and military policies by coordinating with representatives of the Secretaries of State and Defense and that in the event of disagreement between them the matter will be referred to the NSC for decision. No where else in the memo is there any requirement that operations be approved by the President and thus, assuming agreement between CIA, State and Defense, operations would go forward without the President being involved.

(Continued on page 24)



55. NSC-43 - Planning for the Wartime Conduct of Overt Psychological Warfare (Tab 8)

This March 9, 1949 draft directive proposed for NSC consideration the establishment of an organization to make plans for the coordinated conduct of foreign and domestic information programs and overt psychological operations in the event of war or the threat of war. These plans were to be consistent with the NSC 10 series (covert operations). It called for the establishment of a body within the State Department and staffed by representatives of State, Defense, CIA and the National Security Resources Board to carry out the planning. It was approved on March 24, 1949. The substance of the Directive is not directly relevant to the Committee's inquiry although it could be asserted that the Committee is interested in support provided by the CIA to other agencies outside the pure intelligence framework as legitimate subjects of inquiry. Further, the conduct of psychological warfare by any agency may become a subject for Committee inquiry. In addition, the Church request asks for White House directives pertaining to the "Charter, structure or guidelines for any overt or covert foreign or domestic intelligence agencies or activities." To the extent that psychological warfare is considered an intelligence activity, this program would obviously be within the field of interest. Nevertheless, it is recommended that the material not be provided at this time.

Approve _____ Disapprove _____



56. NSC 127/1 - Psychological Operations During General Hostilities (Tab 9)

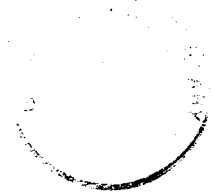
This Directive approved by the NSC on July 24, 1952, called for the development of a plan for conducting psychological operations during general hostilities forced upon the United States and its allies by the USSR or any of its satellites. It contains specific national objectives vis-a-vis the Soviet Union, such as "to reduce the power and influence of ^{the} USSR to limits which no longer constitute a threat to the peace, national independence and stability of the world family of nations." The Directive assigned the responsibility for the development of such a plan and for providing guidance to the Departments responsible for psychological operations. The JCS was assigned responsibility for planning and executing psychological operations in military theatres. The document does refer to covert psychological operations by saying that they should be planned and conducted in accordance with NSC 10/2, 10/5 and 59/1, all of which are considered separately.

As mentioned earlier, this Directive required the development of a plan. Its execution would be subject to further Presidential consideration and decision. Thus, since the Directive does no more than request that a plan be developed, it is recommended that it not be provided to the Committee.

Approve _____ Disapprove _____

57. NSC 140 - The Establishment of a Special Evaluation Subcommittee (Tab 10)

This Directive, approved by the NSC on January 19, 1953, directed the establishment of a Special Evaluation Subcommittee under the aegis of the NSC and comprising



representatives from JCS, CIA, the Interdepartmental Intelligence Conference, and the Interdepartmental Committee on Internal Security to evaluate the USSR's net capability to inflict direct injury on the United States. As a routine study Directive, it holds no intrinsic interest to the Committee and it is recommended that it not be submitted.

Approve _____ Disapprove _____

58. NSC 10/5 - Scope and Pace of Covert Operations (Tab 11)

This Directive, approved by the NSC on October 23, 1951, approved in principle the immediate expansion of the covert organization established by NSC 10/2 and the intensification of covert operations designed in order of emphasis to:

- "A. Place the maximum strain on the Soviet structure of power, including the relationships between the USSR, its satellites, and Communist China; and . . . contribute to the retraction and reduction of Soviet power and influence to limits which no longer constitute a threat to U.S. security."
- "Strengthen the orientation toward the United States of the peoples and nations of the free world and increase their capacity and will to resist Soviet domination."
- "Develop underground resistance and facilitate covert and guerrilla operations in strategic areas to the maximum practicable extent consistent with A. above and insure availability of these forces in the event of war . . . including wherever practicable provision of a base upon which the military may expand these forces on the military bases in time of war within active theatres of operations."

The Directive went on to reaffirm the responsibility and authority of the DCI for the planning and conduct of covert operations in accordance with NSC 10/2 but subject to the



approval of the Psychological Strategy Board which, in turn, was charged with responsibility for determining the desirability and feasibility of individual projects for covert operation formulated by or proposed to the DCI. The Psychological Strategy Board was also tasked to establish the scope, pace and timing of covert operations and the allocation of priorities among them and with coordinating to insure the provision of adequate personnel, funds and logistical and other support to the DCI by State and Defense.

In addition, the Directive authorized as outlined in a memorandum from the DCI of June 27, 1951 (which I have requested) and pursuant to the provisions of NSC 48/5 (also requested).

It is expected that the Committee will view the subject of this Directive as central to its work. The sensitivity of the document, however, in terms of its specific reference to the Soviet Union and the PRC as targets of U.S. covert operations, when viewed in the context of the high probability of leaks from the Committee, augur against providing the document to the Committee. It is recommended that the Chairman and ranking Republican be invited to read the document but that a sanitized and still classified abstract (Tab 12) be provided for the Committee's use.

Approve _____ Disapprove _____

59. NSC 5412 - Covert Operations (Tab 13)

This document approved March 15, 1954, reaffirmed the concept and purpose of covert operations as set forth in NSC 10/5. It reaffirmed that covert operations were designed to create and exploit troublesome problems for international Communism, with particular reference to the USSR and the PRC. It defined the scope of covert operations as including "propaganda, political action, economic warfare, preventive direct action, including sabotage, antisabotage, diminution, escape and evasion, and evacuation measures, subversion against hostile states



or groups, including assistance to underground resistance movements, guerrilla and refugee liberation groups, support of indigenous and anti-Communist elements in threatened countries of the free world, and the substantive plans and operations."

The Directive also modified the charter of the Operations Coordinating Board. It directed that the board members be advised of covert operations related to NSC policies for which the board was responsible for coordination and required further that the Operations Coordinating Board be the channel for securing coordination of support for covert operations among the Departments of State and Defense and the CIA. To the extent that this tasking of the OCB represents the only significant change to NSC 10/2 and 10/5, it is recommended that a classified abstract be provided to the Committee which highlights this addition to the charter for covert operations (Tab 14).

Approve _____ Disapprove _____

60. NSC 5412/1 - Covert Operations (Tab 15)

This document was approved March 12, 1955. It reconfirmed the concept and purposes of covert operations as set forth in earlier directives and added that covert operations should also be designed to "counter any threat of a party or individuals directly or indirectly responsive to Communist control to achieve dominant power in a free world country." In addition, the instructions contained in NSC 5412 regarding the Operations Coordinating Board were superseded by new instructions which required that the Planning Coordination Group be advised in advance of major covert programs and that it would serve as the approving channel for such programs as well as for securing coordination of support among the Departments of State and Defense and the CIA. The Planning Coordination Group was to be kept advised by the representatives of the Secretaries of State and Defense who with the DCI participated in the planning of covert operations. The Planning Coordination Group was a sub-element of the Operations Coordinating Board that handled the covert operations.



Since the sensitive references to China and the Soviet Union remain in this iteration, not to mention the same sensitive guidance generally that is contained in the Directive, it is recommended that it not be provided to the Committee, but that an offer be made to the Chairman and ranking Republican members to read the document and to have a classified abstract (Tab 16) provided for the Committee's use.

Approve _____ Disapprove _____

61. NSC 5412/2 - Covert Operations (Tab 17)

The purpose of this Directive was to take into account the termination of the Planning Coordination Group and to place its functions under the responsibility of representatives of the Secretaries of State and Defense and of the President. That is, that when covert operations were proposed they would first be referred to these representatives who would serve as the approving body as well as the body responsible for coordinating the necessary support for these operations. As issued, the document contains a complete reprint of the terms of reference for covert operations with the new paragraph 7. Thus, it remains sensitive and should not be provided to the Committee. Instead it is recommended that the Committee Chairman and ranking Republicans be invited to read the document and that a classified abstract (Tab 18) be provided for the Committee's use.

Approve _____ Disapprove _____

62. NSC 5423 - Establishment of a Net Capabilities Evaluation Subcommittee (Tab 19)

This Directive, approved on June 24, 1954, established a Net Capabilities Evaluation Subcommittee of the NSC comprised of the Chairman of JCS, the DCI, the Chairman of the Interdepartmental Intelligence Conference, the Chairman of the Interdepartmental Committee on Internal Security, the Director, Office of Defense Mobilization, the Federal Civil Defense Administrator and the Chairman of the Atomic

Energy Commission, for the purpose of carrying out a study of the capabilities of the USSR in the event of general war to inflict direct injury upon the continental United States and key U.S. installations overseas. As a study directive it may be considered an internal document and it is recommended that it not be provided to the Committee.

Approve _____ Disapprove _____

63. NSC 5511 - Permanent Establishment of a Net Evaluation Subcommittee (Tab 20)

This Directive approved by the President on February 14, 1955, made permanent the temporary earlier establishment of a Net Evaluation Subcommittee of the NSC for the purpose of providing integrated evaluations of the net capabilities of the USSR in the event of general war to inflict direct injury upon the continental United States and key U.S. installations overseas and to provide a continual watch for changes which would significantly alter those net capabilities. The Subcommittee was to provide evaluations on or before October 1 of each year or at such times as a significant change had occurred. The membership of the Committee and its Chairman (JCS) were as prescribed in NSC 5423 and it was authorized to call on any agency of the government for relevant information estimates, etc.

The terms of reference provided for the study are an indication of our methodology and of the nature of our concerns. As such they would be of interest to the Soviet Union. In addition, even though the concerns which motivated this study are still valid, it would be counter to our interests to have a document such as this leak to the extent that it would focus the public eye on areas of difference between the U.S. and USSR thus derogating from the overall surface image of detente. With regard to its relevancy to the Committee's inquiry, in that it does pertain to "structure" it may be considered tangentially relevant. The decision on whether or not to provide it should take into account the impression that may be created if we provide only those documents that relate to covert activities, domestic operations



or the other areas of the Committee's primary focus. That is to say is it not worth while to make clear that the CIA obviously does a great many things that are critical in the support they lend to our national security. On balance, I believe that providing a few documents such as this one, is worthwhile to lend a little balance and perspective to our submission. Accordingly, it is recommended that NSC 5511 be provided to the Committee.*

Approve _____

Disapprove _____

64. NSC 5605 - New Instructions for the Net Evaluation Subcommittee (Tab 21)

This document approved by the President on May 24, 1956, provided updated terms of reference for the work of the Net Evaluation Subcommittee in assessing the Soviet threat. The new instructions contain greater precision. However, from the point of view of relevancy to the Committee's deliberations, it is noted that there is no change in the organization or structure nor in the way the Committee makes its recommendations to the President. Thus, this directive does not add to or detract from the information contained in the earlier document (NSC 5511). For the same reasons which form the basis for the earlier recommendation, however, it is proposed that the document be provided to the Committee. It is classified "Top Secret!" *

Approve _____

Disapprove _____

65. NSC 5728 - Updating of Terms of Reference for the Net Evaluation Subcommittee (Tab 22)

These revised terms of reference, approved by the President December 24, 1957, again provide a greater precision concerning the various circumstances surrounding a Soviet attack that were to be assessed by the Committee. *

*Note: After review of the last three documents, the aggregate reflects the evolution of U.S. thinking during the period '54 to '57 concerning the nature of the Soviet strategic threat. While



20 years away from those circumstances and more sophisticated in our approach to strategic threat assessment, the evolution represented in these documents could, if compromised, provide the Soviet Union with a yardstick for judging the efficacy of the U.S. intelligence community. While there has been a turn over in personnel and in methods, this is true on both sides. Accordingly it is recommended that these three documents (NSC 5511, NSC 5605 and NSC 5728) not be provided to the Committee but that an offer be made to Senators Church and Tower for staff representatives to read the documents to gain a sense of the structure of the process but not to retain them due to the risk represented as outlined above.

Approve _____ Disapprove _____

66. NSC 5815 - Establishment of a Comparative Evaluations Group (Tab 23)

This directive approved by the President on June 25, 1958, established a predecessor body to the Net Assessments Group. It's mission was to prepare comparative evaluations of U.S. and Soviet capabilities in selected weapons systems. From the language of the directive, it is clear that the thinking was fairly primitive. Based on what has been turned up from the audit of our files, I don't see anything of particular interest that was turned up by this body and thus don't believe that it made a significant impact bureaucratically or substantively. Accordingly, it is recommended that this document not be forwarded to the Committee.

Approve _____ Disapprove _____

67. NSC 5816 - Updating of Terms of Reference for the Net Evaluation Subcommittee (Tab 24)

This directive approved by the President June 25, 1958, further updated the terms of reference for the Net Evaluation Subcommittee as contained in the above three documents, numbers 63, 64 and 65. It represents some further refinement



of the guidelines for conducting the assessments but basically does not alter the fundamental thrust of the subcommittee's activity. A minor change did reflect a reorganization plan that had taken place which merged the functions of the Office of Defense Mobilization with those of the Federal Civil Defense Administrator.

For reasons cited in the note above, however, it is recommended that this document not be provided to the Committee but that the Committee staff be offered an opportunity to read it.

Approve _____ Disapprove _____

68. Note to Holders of NSC 5816 (Tab 25)

This directive approved by the President on March 11, 1965, terminated the Net Evaluation Subcommittee. In view of its connection with the four documents covered above, it is recommended that it not be provided to the Committee but that the staff be offered the opportunity to read it.

Approve _____ Disapprove _____

69. Integration of the Operations Coordinating Board Staff Within the NSC Staff (Tab 26)

This directive issued June 21, 1957, provided the administrative details associated with the integration of the OCB staff within the NSC staff. It is of structural interest but contains no substance or any sensitive information. It is unclassified and it is recommended that it be provided to the Committee.

Approve _____ Disapprove _____



70. Scoop Jackson's Study on the Organizational History of the NSC (Tab 27)

This document is a study done by Scoop Jackson as Chairman of the Subcommittee on National Policy Machinery (Government Operations Committee) that describes the history of the NSC from its creation to 1960. It is in the public domain and already available to the Committee but it does no harm to include it in our package. It is recommended that it be provided.

Approve _____

Disapprove _____

71. Press Statement on Determination of the Operations Coordinating Board (Tab 28)

The statement basically says that the functions formerly carried out by the Operations Coordinating Board will now be absorbed by the Department of State, USIA and staff officers at the White House. It is in the public domain but ought to be provided as a courtesy.

Approve _____

Disapprove _____

72. Organization Charts (Tab 29)

This is a collection of wiring diagrams and personnel rosters. The wiring diagrams are of marginal value as representing the apparent lines of command and distribution of responsibilities at the times they were printed. With regard to the personnel rosters, I believe that the earlier summary (Tab 1) because it is comprehensive, is more valuable. Basically with regard to providing names, I would recommend that we provide only those names of Presidential appointees through the years and no staff members. It is recommended that the wiring diagrams attached and the personnel summary at Tab 1 be provided to the Committee.

Approve _____

Disapprove _____



CENTRAL INTELLIGENCE AGENCY

24 December 1974

The President
The White House
Washington, D. C.

Dear Mr. President:

The attached report is unclassified but I believe you will find it to be comprehensive and in sufficient detail. It is accompanied by several classified annexes and I am, of course, at your service to provide any further detail you might desire. Although unclassified, I will maintain control of this report pending your decision on its possible release.

This report covers matters related to the New York Times article. There are certain other matters in the history of the Agency which are subject to question. Obviously I am fully prepared to brief you on these at your convenience, as I have already briefed the Chairmen of the Armed Services Committees.

Respectfully,

Bill
W. E. Colby
Director

*Cy believed
to Bill Bush*



CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

December 24, 1974

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

This report is in response to your request for my comments on The New York Times article of December 22nd alleging CIA involvement in a "massive" domestic intelligence effort. While CIA has made certain errors, it is not accurate to characterize it as having engaged in "massive domestic intelligence activity."

The National Security Act of 1947 states that CIA shall have no "police, subpoena, law-enforcement powers, or internal security functions." The Agency's functions thus relate solely to foreign intelligence. Included in this responsibility is foreign counterintelligence, as stated in National Security Council Intelligence Directive No. 5. This provides that CIA shall, inter alia, conduct clandestine counterintelligence outside the United States and its possessions. Under this charge, CIA for many years has maintained liaison with the intelligence and security services of other nations and has conducted independent counterintelligence activities abroad. Whenever such matters relate to the internal security of the United States, information derived from such operations is passed to the Federal Bureau of Investigation and other Departments or Agencies of the Government when appropriate. In addition, CIA has responded to requests from the Federal Bureau of Investigation, and on occasion other Departments, for counterintelligence work abroad.

In 1967, when concern grew in the United States Government over domestic dissidence, questions were raised as to whether there might be stimulation or support of such activity from outside the United States. As a result, the Director of Central Intelligence on 15 August established within the CIA counterintelligence office a program to identify possible foreign links with American dissident elements (Annex A). Later that same year, this became a part of an interagency program (Annex B). In November 1967, the Agency produced a study, International Connections of US Peace Groups, in response to a request by the President. In late 1967 or early 1968 the Assistant to the President for National Security Affairs

requested an assessment of possible foreign links with American dissident student groups (SDS). In mid-1968 the Agency produced an assessment of youth movements throughout the world, including a section analyzing the American scene to complete the picture. This study concluded that: "There is no convincing evidence of control, manipulation, sponsorship, or significant financial support of student dissidents by any international Communist authority."

In September 1969 the Director reviewed the counter-intelligence program and stated that he believed it to be proper, "while strictly observing the statutory and de facto proscriptions on Agency domestic involvements" (Annex C).

In 1970, in the so-called Huston Plan, the Directors of the FBI, DIA, NSA, and CIA signed a report to the President recommending an integrated approach to the coverage of domestic unrest. While not explicit in the Plan, CIA's role would have been to contribute foreign intelligence and counterintelligence. The Huston Plan itself was not implemented but was followed by the establishment on 3 December 1970 of the Interagency Evaluation Committee which was coordinated by the Counsel to the President, Mr. John Dean. This committee was chaired by a Department of Justice officer, Mr. Robert Mardian, and included representatives from CIA, FBI, DOD, State, Treasury, and NSA. Pursuant to this Government-wide effort, CIA continued its counterintelligence interest in possible foreign links with American dissidents. A full description of the CIA project, prepared on 1 June 1972, is attached (Annex D).

Because of CIA's effort during these years, some CIA employees, not directly involved in the program, misinterpreted it as being more focused on American dissidents than on their possible connections with foreign governments. In addition, however, there were individual cases in which actions were taken which overstepped proper bounds. For example, the Agency recruited or inserted individuals into American dissident circles to establish their credentials for operations abroad against those foreign elements which might be supporting, encouraging, or directing dissidence in the United States. In the course of their preparatory work or on completion of a phase of their mission abroad, these individuals reported on the activities of the American dissidents with whom they came in contact. Significant information thereby derived was reported to the FBI, but in the process CIA files were established on the individuals named.


In 1972, with the approval of the Director, the Executive Director issued an internal memorandum to senior CIA officials describing the program in order to clarify its scope and to invite reports of any departures from its policy:

"To carry out its responsibilities for counter-intelligence, CIA is interested in the activities of foreign nations or intelligence services aimed at the U.S. To the extent that these activities lie outside the U.S., including activities aimed at the U.S. utilizing U.S. citizens or others, they fall within CIA's responsibilities. Responsibility for coverage of the activities within the U.S. lies with the FBI, as an internal security function. CIA's responsibility and authority are limited to the foreign intelligence aspect of the problem, and any action of a law enforcement or internal security nature lies with the FBI or local police forces."
(Annex E)

On 9 May 1973, the Director issued a bulletin to all employees requesting them to report any indication of any activity they believed might be outside CIA's charter (Annex F). Responses from some employees referred to the counterintelligence program. As a result, on 29 August 1973 the Director issued specific direction to the managers of the program re-emphasizing that the focus of the program was to be clearly on the foreign organizations and individuals involved in links with American dissidents and only incidentally on the American contacts involved (Annex G).

In March 1974 the Director terminated the program and issued specific guidance that any collection of counter-intelligence information on Americans would only take place abroad and would be initiated only in response to requests from the FBI or in coordination with it; furthermore, any such information obtained as a by-product of foreign intelligence activities would be reported to the FBI (Annex H).

In the course of this program, files were developed on American citizens. The total index of these Americans amounts to 9,944 counterintelligence files. Approximately two-thirds of these consisted of the by-product coverage of the activities outlined above or stemmed from specific requests from the FBI for information on the activities of Americans abroad. One-third consisted of FBI reports on American Communists. We have for the past several months been in the process of



eliminating material not justified by CIA's counterintelligence responsibilities, and about 1,000 such files have been removed from the active index but not destroyed.

Aside from our Congressional liaison working records, we hold files on fourteen past and present Members of Congress. These were opened prior to their election to office and were caused either by the process of clearing them for work with the Agency or because we were interested in them for foreign intelligence purposes. There is no, and to my knowledge never has been any, surveillance--technical or otherwise--of any Members of Congress.

The New York Times articles makes a number of specific allegations of improper activity domestically by CIA and relates these to the above program. In the 1973 compilation by the Agency of all activities which might be questionable, a number of items were raised which were not related to that program. The Agency's action in most of these cases was founded upon the section of the National Security Act of 1947 which provides that the Director of Central Intelligence is responsible for protecting intelligence sources and methods from unauthorized disclosure. Over the many years in which CIA has been operating, some actions have been taken which were improper extensions of the charge contained in this language. Apparently The New York Times reporter learned of some of these items and erroneously associated them with the above program. Examples include:

a. Unauthorized entry of the premises of three individuals, a defector and two former employees, to determine whether they had classified documents, and in one case to recover them (in 1966, 1970 and 1971). Two of these incidents involved breaking and entering.

b. Electronic surveillance (telephone tap) of two newspaper reporters (1963) and physical surveillance of five reporters (in 1971 and 1972) to determine the sources of classified information published by them. Similar physical surveillance of three ex-employees of the CIA who were suspected of unauthorized possession of classified documents (1969, 1971, and 1972).

c. Development of paid informants among construction workers at the time of construction of the Agency building (1960-1961) to protect against the placement of electronic taps therein.

d. During the period 1967-1971, agents were also developed to monitor dissident groups in the Washington area considered to be potential threats to Agency personnel and installations, and Agency security field officers in the US also collected information on similar dissident groups, to advise the Agency of potential threats to its personnel and installations.

e. A list of individuals suspected of particular offenses considered to pose a security vulnerability was collected over a number of years prior to 1973. This practice was terminated and the file destroyed in 1973.

f. From May-September 1971 a long-time CIA source was under surveillance in the US in connection with a reported plot to assassinate or kidnap Vice President Agnew and the DCI. The individual covered was a Latin American revolutionary, but the surveillance expanded to cover several American citizen contacts in New York and Detroit.

A final category of questionable activity identified during the 1973 survey was related to the Agency's mission to collect foreign intelligence. In some cases the Agency exceeded proper bounds or its activities were subject to misconstruction as being aimed at purposes outside its charter. The following examples, for instance, may be related to the charges made in The New York Times article, although they have no connection with the program first discussed above:

a. Records were made of the identities and addresses of individuals exchanging correspondence between the United States and certain communist countries, as an aid to determining possible leads to potential operations. This program included the surreptitious opening of certain first-class mail to extract positive intelligence or data valuable for the development of foreign intelligence operations against the communist country. This program was initiated in 1953, and from its inception was fully coordinated with the FBI, which received much of its product. The operation was approved by three Postmasters General and one Attorney General. The program was terminated in 1973.

b. We obtained names and addresses of persons telephoning a communist country so that we could follow up for possible operational leads.

c. Individuals were recruited or inserted into dissident groups in the US to establish their credentials to collect foreign intelligence overseas. By-product information reflecting planned violence or similar activity was passed to the FBI.

The items listed above are those questionable activities relating to matters covered in The New York Times article. Obviously, I am prepared to brief you fully on such matters, as I did the Chairmen of the Congressional Armed Services Committees.

Following our identification of all these matters in 1973, I issued detailed and specific instructions dealing with each activity. Some were terminated; others were continued but only as fully authorized by our statute and in accordance with law (Annex I).

The New York Times article also states that I am considering the possibility of asking the Attorney General to institute legal action against some of those who had been involved in these activities. I have conferred with the Acting Attorney General, Mr. Silberman, as to my responsibilities with respect to evidence relating to possible illegal activities by Agency personnel. On December 21st I agreed with him that I would review the questionable activities noted in this letter and others to determine whether these should be brought to his attention for legal review. I will certainly keep you advised of any such action.

As I stated to you on the telephone, Mr. President, you have my full assurance that the Agency is not conducting activities comparable to those alleged in The New York Times article. Even in the past, I believe the Agency essentially conformed to its mission of foreign intelligence. There were occasions over the years in which improper actions were taken as noted above, but I believe these were few, were quite exceptional to the thrust of the Agency's activities, and have been fully terminated. Agency personnel are instructed each year to advise me of any activity they consider questionable, and I am resolved to follow your directive that no improper activity be conducted by this Agency.

Respectfully,

W. E. Colby
Director.



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SEP 1969

MEMORANDUM FOR: Deputy Director for Plans
Deputy Director for Intelligence
Deputy Director for Support
Deputy Director for Science and Technology

1. I recently have reviewed the Agency's efforts to monitor those international activities of radicals and black militants which may affect the national security. I believe that we have the proper approach in discharging this sensitive responsibility, while strictly observing the statutory and de facto proscriptions on Agency domestic involvements.

2. My understanding is that OCI carries this responsibility in the Intelligence Directorate, and that arrangements have been made in each geographic division to ensure continuing coverage of pertinent activities and systematic compilation of useful information. Mr. Corscadden's reassignment removes from the scene an experienced and knowledgeable analyst of these matters, and it is my hope that a suitable replacement will be found and developed.

3. I appreciate that there are several components in the Clandestine Service with a legitimate operational interest in the radical milieu. At the same time, it should be understood that Mr. Ober's Special Operations Group of CI Staff has the principal operational responsibility for coordinating and developing operations to collect information on aspects of activities abroad which have a direct bearing on U.S. radical and black militant movements. I expect that area divisions and senior staffs will be fully cooperative in this effort, both in exploiting existing sources and in developing new ones, and that Mr. Ober will have the necessary access to such sources and operational assets.

4. It is most important to ensure that Mr. Ober's Group has a small coterie of knowledgeable, effective officers. He needs two kinds of people: skilled analysts who can produce written material coherently and quickly, and experienced operations officers, ideally with a demonstrated ability to work in this sensitive area. If the right people are scarce and already ensconced in other activities, a select few nonetheless ought to be broken away for assignment to CI Staff.

DECLASSIFIED

CIA press release, 8 July 1985

By DAD

NARS, Date 5/29/85

~~SECRET~~
~~SECRET~~
EYES ONLY

5. A formidable obstacle to Mr. Ober at present is the backlog of undigested raw information at his disposal. In addition to assigning skilled analysts to deal with the flow of information, there is an obvious need for introducing expanded, sophisticated computer support. I understand that the Office of Computer Services possesses on-line capabilities and other facilities which not only would provide vastly improved information storage and retrieval but also affords the possibility of a data link with certain other elements of the security community. I would urge the earliest utilization of this capability. A rational combination of able officers and computers ought also to foster the twin virtues of holding Mr. Ober's TO to an acceptable level and minimizing the number of individuals with access to sensitive intelligence and operational information.

6. It is also important to ensure that a cooperative and supportive relationship exists between the Office of Security and Mr. Ober's Group. I expect that information collected by the Office of Security as part of its normal security mission, but which has a bearing on the targets of the Group, will be provided to the Group. Office of Security checks with other domestic repositories of information, involving targets of interest to the Group, should be closely coordinated with it.

mt
Richard Helms
Director

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1 JUN 1972

BRIEFING PAPERS

SPECIAL OPERATIONS GROUP, COUNTER INTELLIGENCE STAFF

- I. Program Objectives
- II. Program Interagency Relationships
- III. Operational Program
- IV. Program Manpower Resource Requirements

CIA process release , 8 July 1975
By <u>DDO</u> 5/29/85

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