

V. THE DIRECTOR OF CENTRAL INTELLIGENCE

ISSUES

In January 1946, President Truman established by Presidential Directive the National Intelligence Authority under the direction of the Director of Central Intelligence (DCI). The Directive authorized the Director of Central Intelligence to plan, develop and coordinate the foreign intelligence activities of the United States Government.¹ That same year, the Joint Congressional Committee on the Investigation of the Pearl Harbor Attack described how the military services in Washington had failed to bring all the intelligence together about Japanese plans and intentions and then concluded that “operational and intelligence work requires centralization of authority and clear-cut allocation of responsibility.”²

Subsequently, in 1947, Congress passed the National Security Act giving the DCI responsibility for “coordinating the intelligence activities of the several Government departments and agencies in the interest of national security.”³ Concurrently, the President designated the Director of Central Intelligence as his principal foreign intelligence adviser and established an Intelligence Advisory Committee (later reconstituted as the United States Intelligence Board) to “advise” the DCI in carrying out his responsibilities.⁴

The precise roles and responsibilities of the DCI, however, were not clearly spelled out. For fear of distracting attention from the principal objective of the 1947 National Security Act—to unify the armed services—the White House did not delineate the DCI’s functions in any detail.⁵ The Congressional debates also failed to address the extent

¹ Presidential Directive, 1/22/46, *Federal Register*, Vol. II, pp. 1337, 1339.

² Joint Committee on the Investigation of the Pearl Harbor Attack, *Report*, pursuant to S. Con. Res. 27, 7/20/46, 79th Cong., 2nd Sess., p. 254.

³ Section 102, National Security Act of 1947, 61 Statutes-at-large 497–499. Provisions of Section 102 are codified at 50 U.S.C. 403.

⁴ National Security Council Intelligence Directive (NSCID) No. 1, 12/12/47. The Intelligence Advisory Committee was chaired by the DCI, and was composed of representatives from the Departments of State, Army, Navy, and Air Force, the Joint Chiefs of Staff, and the Atomic Energy Commission. In 1957, the President’s Foreign Intelligence Advisory Board recommended that the Intelligence Advisory Committee be merged with the United States Communications Intelligence Board to perform the overall intelligence coordinating function more effectively. Consequently, the United States Intelligence Board (USIB) was established in 1958.

Under President Ford’s Executive Order No. 11905, 2/18/76, USIB was dissolved, but the DCI was given responsibility to “establish such committees of collectors, producers and users of intelligence to assist in his conduct of his responsibilities.”

⁵ Draft Legislative History of the CIA, prepared by the Office of Legislative Counsel, CIA, July, 1967; and *Organizational History of CIA, 1950–1953*, prepared by the CIA, p. 27.

of DCI authority over the intelligence community. Rather, congressional committees were interested in whether the DCI's primary responsibility would be to the military services or whether he would report directly to the National Security Council (NSC) and the President.⁶ But the problems facing the DCI were obvious from the beginning. According to a 1948 memorandum by the CIA's General Counsel:

In its performance of the intelligence functions outlined in the National Security Act, the primary difficulty experienced by CIA has been in certain weakness of language in paragraph 102(d) concerning the meaning of coordination of intelligence activities. Where the Act states "it shall be the duty of the Agency . . . to advise the National Security Council . . . [and] to make recommendations to the National Security Council for the coordination of such intelligence activities," it has been strongly argued that this places on the Director a responsibility merely to obtain cooperation among the intelligence agencies. This weakness of language and the ensuing controversy might have been eliminated by the insertion after the phrase "it shall be the duty of the Agency," the following words: "and the Director is hereby empowered," or some other such phrase indicating the intent of Congress that the Director was to have a controlling voice in the coordination, subject to the direction of the National Security Council.⁷

Under Senate Resolution 21, the Select Committee has undertaken for the first time since 1947 a study of the manner in which the successive Directors of Central Intelligence have carried out their responsibilities, in an effort to determine: (1) whether the DCI's assigned responsibilities are proper and sufficient; (2) whether the DCI has sufficient authority to carry out these responsibilities; (3) whether the DCI should continue as Director of the Central Intelligence Agency, if he is to play a leadership role for the entire intelligence community; and (4) whether Congress should enact more explicit or different definitions of the DCI's responsibilities.

⁶ Hearings before the Senate Armed Services Committee on S. 758, pp. 173-176, and Hearings before the House Committee on Expenditures in the Executive Departments on H.R. 2139 (1947). During the House hearings, Representative Hale Boggs commented:

"I can see . . . even if this bill becomes law, as presently set up, a great deal of room for confusion on intelligence matters. Here we have the Director of the Central Intelligence Agency, responsible to the National Security Council, and yet the Director is not a member of that Council, but he has to get all of his information down through the chair of the Secretary of National Defense, and all the other agencies of Government in addition to our national defense agencies. . . . *I just cannot quite see how the man is going to carry out his functions there without a great deal of confusion, and really more opportunity to put the blame on somebody else than there is now.*"

Secretary of the Navy James Forrestal replied:

"Well, if you have an organization, Mr. Boggs, in which men have to rely upon placing the blame, . . . you cannot run any organization, and it goes to the root really of this whole question. *This thing will work, and I have said from the beginning it would only work, if the components want it to work.*" [Emphasis added.]

⁷ Memorandum from Lawrence R. Houston to the Director, 5/7/48.

INTRODUCTION

The Pearl Harbor intelligence failure was the primary motivation for establishing a Director of Central Intelligence. President Truman desired a national intelligence organization which had access to all information and would be headed by a Director who could speak authoritatively for the whole community and could insure that the community's operation served the foreign policy needs of the President and his senior advisers.⁸ President Truman and subsequent Presidents have not wanted to rely exclusively on the intelligence judgments of departments with vested interests in applying intelligence to support a particular foreign policy or to justify acquiring a new weapons system.

However, the DCI's responsibility to produce national intelligence and to coordinate intelligence activities has often been at variance with the particular interests and prerogatives of the other intelligence community departments and agencies. During the Second World War, the Department of State and the military services developed their own intelligence operations. Despite establishment of the Director of Central Intelligence in 1946, they have not wanted to give up control over their own intelligence capabilities. The military services particularly have argued that they must exercise direct control over peacetime intelligence activities in order to be prepared to conduct wartime military operations. The State and Defense Departments have steadfastly opposed centralized management of the intelligence community under the DCI.

However, over time the actual degree of conflict between the DCI's responsibility to coordinate intelligence activities and the interests of the other parts of the community has depended on how broadly each DCI chose to interpret his coordination responsibilities and how he allocated his time between his three major roles.⁹ The three roles the DCI plays are: (1) the producer of national intelligence; (2) the coordinator of intelligence activities; and (3) the Director of the Central Intelligence Agency.

A. THE PRODUCER OF NATIONAL INTELLIGENCE

As the President's principal foreign intelligence adviser, the DCI's major responsibility is to produce objective and independent *national*

⁸ Harry S. Truman, *Memoirs*, Vol. II, p. 58.

⁹ QUESTION: When you were DCI, did you feel that institutionally or functionally your position was bumping heads with the DOD intelligence apparatus in different ways or not, and if not, why not, in view of the structure?

Mr. SCHLESINGER: Well, historically there have been intervening periods of open warfare and detente . . . Prior to these, one of the problems of the intelligence community has been the warfare that exists along jurisdictional boundaries, and this tended to erupt in the period of the 1960's, in particular when they were introducing a whole set of new technical collection capabilities; that open warfare was succeeded by a period of true detente, but the problem with such detente is that it tends to be based on marriage contracts and the principle of good fences make good neighbors, and that a mutual back-scratching and the like, so that you do not get effective resource management under those circumstances. (James Schlesinger, testimony, 2/2/76, pp. 29-30.)

intelligence for senior policymakers.¹⁰ In so doing, he draws on a variety of collection methods and on the resources of the departmental intelligence organizations as well as CIA analysts.¹¹ But the DCI issues national intelligence and is alone responsible for its production.¹²

The most important national intelligence which the DCI produces is the National Intelligence Estimate (NIE). An NIE presents the intelligence community's current knowledge of the situation in a particular country or on a specific topic and then tries to estimate what is going to happen within a certain period of time. NIEs are prepared for use by those in the highest policy levels of government and represent the considered judgment of the entire community.¹³ Major differences of opinion within the intelligence community are illuminated in the text or in the footnotes. When an NIE is released, however, it is the DCI's own national intelligence judgment, in theory free from departmental or agency biases.¹⁴

To carry out this responsibility to produce independent and objective national intelligence, DCI Walter Bedell Smith established the Board of National Estimates in 1950. The Board was comprised of senior government officials, academicians and intelligence officers and had a small staff known as the Office of National Estimates (ONE). One member of the Board would be responsible for supervising the drafting of the estimates by the ONE staff, for reviewing these judgments collectively for the DCI, and for adjudicating disputes within the community. When the United States Intelligence Board reviewed an NIE, the DCI could have confidence in the opinions expressed in the estimate because each estimate reflected the collective judgment of his own Board. According to the former chairman of the Board of National Estimates, John Huizenga :

The Board of National Estimates in fact functioned as a kind of buffer. It provided procedures by which the departmental views could be given a full and fair hearing, while at the same time ensuring that the DCI's responsibilities to produce intelligence from a national viewpoint could be upheld.¹⁵

¹⁰ According to NSCID No. 1, 2/17/72, national intelligence is that intelligence required for the formulation of national security policy and concerning more than one department or agency. It is distinguished from departmental intelligence, which is that intelligence in support of the mission of a particular department.

¹¹ Prior to President Ford's Executive Order No. 11905, 2/18/76, the United States Intelligence Board, composed of representatives from the various agencies and departments of the intelligence community, formally reviewed the DCI's national intelligence judgments.

¹² Under President Ford's Executive Order No. 11905, 2/18/76, the DCI will have responsibility to "supervise production and dissemination of national intelligence."

¹³ At present, the DCI briefs the Congress on the judgments contained in his NIEs. The Congress does not receive the DCI's NIEs on a regular basis.

¹⁴ In his role as CIA Director, the DCI also produces current intelligence and research studies for senior policymakers. These intelligence judgments are prepared by CIA analysts who are supposed to be free from departmental preferences. Such current reporting is not formally reviewed by the other members of the intelligence community, but is often informally coordinated.

¹⁵ John Huizenga testimony, 1/26/76, p. 11.

In 1973, Colby replaced the Board and the ONE staff with a new system of eleven National Intelligence Officers (NIOs). Each NIO has staff responsibility to the DCI for intelligence collection and production activities in his geographical or functional specialty. The NIOs coordinate the drafting of NIEs within the community. They do not, however, collectively review the final product for the DCI.¹⁶ Director Colby testified that he thought the Board of National Estimates tended to fuzz over differences of opinion and to dilute the DCI's final intelligence judgments.¹⁷

In the course of its investigation, the Committee concluded that the most critical problem confronting the DCI in carrying out his responsibility to produce national intelligence is making certain that his intelligence judgments are in fact *objective* and *independent* of departmental and agency biases. However, this is often quite difficult. A most delicate relationship exists between the DCI and senior policymakers. According to John Huizenga :

There is a natural tension between intelligence and policy, and the task of the former is to present as a basis for the decisions of policymakers as realistic as possible a view of forces and conditions in the external environment. Political leaders often find the picture presented less than congenial. . . . Thus, a DCI who does his job well will more often than not be the bearer of bad news, or at least will make things seem disagreeable, complicated, and uncertain. . . . When intelligence people are told, as happened in recent years, that they were expected to get on the team, then a sound intelligence-policy relationship has in effect broken down.¹⁸

In addition, the DCI must provide intelligence for cabinet officers who often have vested interests in receiving information which supports a particular foreign policy (State Department) or the acquisi-

¹⁶ Under the NIO system, the Defense Intelligence Agency (DIA) and the military services have assumed greater responsibility for the initial drafting of military estimates. Because NIOs have no separate staff, they must utilize experts in the community to draft sections of the estimates. In 1975, DIA prepared the first drafts of two chapters of the NIE on Soviet offensive and defensive strategic forces. Colby contends that as a consequence, analysts throughout the community felt more involved. (William Colby testimony, 12/11/75.)

¹⁷ According to Colby :

“A board? You say why don't you have a board also? I have some reservation at the ivory tower kind of problem that you get out of a board which is too separated from the rough and tumble of the real world. I think there is a tendency for it to intellectualize and then write sermons and appreciations. . . .

“I think there is a tendency to become institutionally committed to an approach and to an appraisal of a situation and to begin to interpret new events against the light of a predetermined approach toward those events. I think that has been a bother. I like the idea of an individual total responsibility, one man or woman totally responsible, and then you don't get any fuzz about how there was a vote, and therefore I really didn't like it but I went along and all that sort of thing, one person totally responsible. I think, is a good way to do it. That can be the Director or whatever you set up. But I do like that idea of separating out and making one individual totally responsible so there's nobody else to go to, and there's no way of dumping the responsibility onto somebody else. That really is my main problem with the board, that it diffuses responsibility, that it does get out of the main line of the movement of material. (Colby, 12/11/75, pp. 36-37.)

¹⁸ Huizenga, 1/26/76, pp. 13-14.

tion of a new weapon system (Department of Defense).¹⁹ The President and NSC staff want confirmation that their policies are succeeding. Moreover, each NIE has in the past been formally reviewed by other members of the intelligence community. Although CIA analysts have developed expertise on issues of critical importance to national policymakers, such as Soviet strategic programs, most DCIs have been reluctant to engage in a confrontation with members of the USIB over substantive findings in national intelligence documents.²⁰ According to John Huizenga :

The truth is that the DCI, since his authority over the intelligence process is at least ambiguous, has an uphill struggle to make a sophisticated appreciation of a certain range of issues prevail in the national intelligence product over against the parochial views and interests of departments, and especially the military departments.²¹

Finally, the DCI's own analysts in CIA are sometimes accused of holding an "institutional" bias. According to James Schlesinger :

The intelligence directorate of the CIA has the most competent, qualified people in it, just in terms of their raw intellectual capabilities, but this does not mean that they are free from error. In fact, the intelligence directorate tends to make a particular type of error systematically in that the intelligence directorate tends to be in close harmony with the prevailing biases in the intellectual community, in the university community, and as the prevailing view changes in that community, it affects the output of the intelligence directorate.²²

In particular, CIA analysts are sometimes viewed as being predisposed to provide intelligence support for the preferences of the arms control community. According to Schlesinger :

For many years it was said, for example, that the Air Force had an institutional bias to raise the level of the Soviet threat, and one can argue that in many cases that it did and that was a consequence.

¹⁹ According to Huizenga :

"It should be recognized that the approach of an operating department to intelligence issues is not invariably disinterested. The Department of State sometimes has an interest in having intelligence take a certain view of a situation because it has a heavy investment in an ongoing line of policy, or because the Secretary has put himself on record as to how to think about a particular problem. In the Defense Department, intelligence is often seen as the servant of desired policies and programs. At a minimum there is a strong organizational interest in seeing to it that the intelligence provides a vigorous appraisal of potential threats. It is not unfair to say that because of the military leadership's understandable desire to hedge against the unexpected, to provide capabilities for all conceivable contingencies there is a natural thrust in military intelligence to maximize threats and to oversimplify the intentions of potential adversaries. It is also quite naturally true that military professionals tend to see military power as the prime determinant of the behavior of states and of the movement of events in international politics." (Huizenga, 1/26/76, pp. 11-12.)

²⁰ *Ibid.*, p. 11.

²¹ *Ibid.*, p. 12.

²² Schlesinger, 2/2/76, pp. 24-25.

But there developed an institutional bias amongst the analytic fraternity which ran in the opposite direction. There was an assumption that the Soviets had the same kind of arms control objectives that they wished to ascribe or persuade American leaders to adopt, and as a result there was a steady upswing of Soviet strategic capabilities, and the most serious problem, it seems to me, or the most amusing problem developed at the close of the cycle when the Soviets had actually deployed more than 1,000 ICBMs, and the NIEs, as I recall it, were still saying that they would deploy no more than 1,000 ICBMs because of the prevailing belief in the intelligence analytic fraternity that the Soviets would level off at 1,000 just as we had.

So one must be careful to balance what I will call the academic biases amongst the analysts with the operational biases amongst other elements of the intelligence community.²³

Consequently, on the occasions when the DCI does support his own staff's recommendations over the objection of the other departments, the objectivity of the national intelligence product may still be undermined by the bias of CIA analysts.

Recognizing all these difficulties, the Select Committee has investigated two particularly difficult cases for Director Helms in an effort to illustrate the problems the DCI confronts in carrying out his responsibility to produce objective and independent national intelligence.

During the summer and fall of 1969, the White House and then the Secretary of Defense indirectly pressured the DCI to modify his judgments on the capability of the new Soviet SS-9 strategic missile system. The issues under debate were: (1) whether the SS-9 was a MIRV (Multiple Independently Targeted Re-entry Vehicle) missile; and (2) whether the Soviets were seeking to achieve a first strike capability. The intelligence judgments on these points would be critical in decisions as to whether the United States would deploy its own MIRV missiles or try to negotiate MIRV limitations in SALT (the Strategic Arms Limitation Talks), and whether the United States would deploy an Anti-Ballistic Missile (ABM) system to protect the United States Minuteman missile force against a Soviet first strike.

On the first issue, in June 1969, the President's Special Adviser for National Security Affairs, Henry Kissinger, called Director Helms to the White House to discuss an estimate on Soviet strategic forces. Kissinger and the NSC staff made clear their view that the new Soviet missile was a MIRV and asked that Helm's draft be rewritten to provide more evidence supporting the DCI's judgment that the SS-9 had *not* demonstrated a MIRV capability. In response, the Chairman of the Board of National Estimates rewrote the draft, but he did not change the conclusion: All seven tests of the SS-9 were MRVs (Multiple Re-entry Vehicles); they were certainly not independently guided after

²³ Schlesinger, 2/2/76, pp. 26-27. CIA analysts are also sometimes accused of being biased in favor of the clandestine intelligence collected by their own agency. This charge is not, however, supported by a CIA study of what kinds of reporting CIA analysts themselves find KEY in writing their intelligence memoranda. For FY 1974, while CIA analysts considered clandestine reporting to be important, overt State Department reporting on political and economic subjects was cited more frequently as KEY. (*Annual DDI Survey, FY 1974.*)

separation from the launch vehicle.²⁴ According to testimony by three Board members, at the time they saw nothing improper in a White House request to redraft the estimate to include more evidence. However, in this case, they interpreted the White House request as a subtle and indirect effort to alter the DCI's national intelligence judgment.²⁵

On the second issue, three months later, Helms decided to delete a paragraph in the Board of National Estimates' draft on Soviet strategic forces after an assistant to Secretary of Defense Laird informed Helms that the statement contradicted the public position of the Secretary.²⁶

The deleted paragraph read:

We believe that the Soviets recognize the enormous difficulties of any attempt to achieve strategic superiority of such order as to significantly alter the strategic balance. Consequently, we consider it highly unlikely that they will attempt within the period of this estimate to achieve a first-strike capability, i.e., a capability to launch a surprise attack against the U.S. with assurance that the USSR would not itself receive damage it would regard as unacceptable. For one thing, the Soviets would almost certainly conclude that the cost of such an undertaking along with all their other military commitments would be prohibitive. More important, they almost certainly would consider it impossible to develop and deploy the combination of offensive and defensive forces necessary to counter successfully the various elements of U.S. strategic attack forces. Finally, even if such a project were economically and technically feasible the Soviets almost certainly would calculate that the U.S. would detect and match or overmatch their efforts.²⁷

Subsequently, the State Department representative on the United States Intelligence Board inserted the deleted paragraph as a footnote.

²⁴ In a memorandum to the USIB representatives, dated 6/16/69, the Director of the Office of National Estimates, Abbot Smith, stated:

"The Memorandum to Holders of NIE 11-8-68, approved by USIB on 12 June was discussed at a meeting with Dr. Kissinger and others on Saturday. Out of this meeting came requests for (a) some reordering of the paper; (b) clarification of some points; and (c) additional argument pro and con about the MRV-MIRV problem. We have accordingly redrafted the paper with these requests in mind. No changes in estimates were asked, nor (we think) have been made. But the details call for coordination."

See also, staff summary of Carl Duckett interview, 6/13/75.

²⁵ Staff summaries of interviews with John Huizenga, 7/9/75; Abbot Smith, 8/2/75; Williard Mathias, 7/7/75.

²⁶ Memorandum from Director Helms to USIB Members, 9/4/69, and staff summary of Abbot Smith interview, 8/2/75.

According to William Baroody, Secretary Laird's Special Assistant:

"I am fairly confident that I did not specifically bring pressures to bear on the Director of Central Intelligence to delete or change any particular paragraph. We did discuss the differences at the time between, as these documents refresh my memory, between the DIA concern of that particular paragraph and the CIA estimate." (William Baroody testimony, 2/27/76, p. 4.)

²⁷ Draft NIE 11-8-69, approved by the Board of National Estimates prior to the USIB meeting on August 28, 1969.

These are stark, and perhaps exceptional, examples of White House and Defense Department pressures on the DCI, but they illustrate the kinds of buffeting with which the DCI must contend. Director Helms testified:

A national intelligence estimate, at least when I was Director, was considered to be the Director's piece of paper. USIB contributed to the process but anybody could contribute to the process, the estimates staff, individuals in the White House. And the fact that a paragraph or a sentence was changed or amended after USIB consideration was not extraordinary. . . .

So this question which seems to have come up about somebody influencing one aspect or influencing another aspect of it, the whole process was one of influences back and forth, some in favor of this and some in favor of that. . . .

So that was the system then. I don't know what is the system now, but on this issue of the first strike capability one of the things that occurred in connection with that was a battle royale over whether it was the Agency's job to decide definitively whether the Soviet Union had its first strike capability or did not have a first strike capability. And this became so contentious that it seemed almost impossible to get it resolved.

I have forgotten just exactly what I decided to do about the whole thing, but I don't know, I think it was back in '69. There was a question about certain footprints and MRVs and things of this kind, and some people felt that they were very important footprints and other people thought they were unimportant footprints, and there's no question there's a battle royale about it.

However, it was resolved however. If you felt that there was pressure to eliminate one thing, there was a manifold pressure to put in something else.

But anyway, I don't really see an issue here.²⁸

While Helms may not see an issue here, the Committee found that constant tension exists between the DCI, whose responsibility it is to produce independent and objective national intelligence, and the agencies, who are required to cooperate in this effort.

A second case investigated by the Select Committee illustrates the potential problems the DCI confronts in producing relevant national intelligence for senior policymakers planning highly sensitive military operations. In April 1970, following Prince Sihanouk's ouster, United States policymakers decided to initiate a military incursion into Cambodia to destroy North Vietnamese sanctuaries. In making this decision, these policymakers had to rely on an earlier (February) NIE and current reporting from the various departments and agencies. They never received a formal DCI national intelligence estimate or memorandum on the political conditions inside Cambodia after Sihanouk's departure or on the possible consequences of such an American incursion. Why? Because Director Helms decided in April not to send such an estimate to the NSC.

²⁸ Richard Helms testimony, 1/30/76, pp. 59-61.

In April 1970, analysts in the Office of National Estimates prepared a long memorandum entitled "Stocktaking in Indochina: Longer Term Prospects" which included discussion of the broad question of future developments in Cambodia, and addressed briefly the question of possible United States intervention:²⁹

Nevertheless, the governments of Laos and Cambodia are both fragile, and the collapse of either under Communist pressure could have a significant adverse psychological and military impact on the situation in South Vietnam. . . . Because the events in Cambodia and their impact are harder to predict, if Hanoi could be denied the use of base areas and sanctuaries in Cambodia, its strategy and objectives in South Vietnam would be endangered. Hanoi is clearly concerned over such a prospect. Cambodia, however, has no chance of being able to accomplish this by itself; to deny base areas and sanctuaries in Cambodia would require heavy and sustained bombing and large numbers of foot soldiers which could only be supplied by the U.S. and South Vietnam. Such an expanded allied effort could seriously handicap the Communists and raise the cost to them of prosecuting the war, but, however successful, it probably would not prevent them from continuing the struggle in some form.³⁰

Helms received this draft memorandum 13 days before the planned United States incursion into Cambodia. Then the day before the incursion began, Helms decided not to send the memorandum to the White House. A handwritten note from Helms to the Chairman of the Board of National Estimates stated: "Let's take a look at this on June 1, and see if we would keep it or make certain revisions."

The Committee has been unable to pinpoint exactly why Director Helms made this decision.³¹ One member of the Board of National Estimates recalled that Helms would have judged it "most counter-productive" to send such a negative assessment to the White House.³² George Carver, Director Helms' Special Assistant for Vietnamese Affairs in 1970, objected to this conclusion that Helms refrained from sending the memorandum forward because he thought the message

²⁹ DCI Helms encouraged the analysts to prepare such a memorandum for the White House. On an early draft, Helms commented to Abbot Smith, Chairman of the Board of National Estimates: "O.K. Let's develop the paper as you suggest and do our best to coordinate it within the Agency. But in the end I want a good paper on this subject, even if I have to make the controversial judgments myself. We owe it to the policymakers I feel." (Richard Helms, 4/7/70.)

³⁰ "Stocktaking in Indochina: Longer Term Prospects," ONE memorandum, 4/17/70, para. 69.

³¹ Helms told the Committee:

"Unfortunately my memory has become hazy about the reasons for decisions on the papers you identify. . . . In a more general way let me try to be helpful to you (I will assume that you have or will talk to [George] Carver and that you will give reasonable weight to his comments. In the first place, it is almost impossible at this late date to recreate all the relevant circumstances and considerations which went into decisions of the kind you are examining, made six years ago. Secondly, it is dangerous to examine exhaustively one bead to the exclusion of other beads in the necklace." (Telegram from Richard Helms to the Select Committee, 3/23/76.)

³² Staff summary of James Graham interview, 2/5/76.

would be unpalatable or distressing to the White House.³³ Rather, Carver argued that Helms judged that it would not be appropriate to send forward a memorandum drafted by analysts who did not know about the planned U.S. military operation.

According to Carver's testimony, Helms was told in advance about the planned incursion under the strict condition that he could not inform other intelligence analysts, including the Chairman of the Board of National Estimates and the CIA intelligence analysts working on Indochina questions. Then because the analysts were not informed, Helms decided not to send forward their memorandum on Indochina.

According to Carver:

He [Helms] thought that it might be unhelpful, it might indeed look a little fatuous, because the people who had prepared it and drafted it were not aware that the U.S. was on the verge of making a major move into Cambodia, hence their commentary was based on the kind of unspoken assumption that there was going to be no basic operational change in the situation, as they projected over the weeks and months immediately ahead.³⁴

Further, Carver speculated that Helms probably felt he would not be listened to if it were immediately open to the counterattack that the analysts did not know of the planned operations.^{34a} In effect, Carver argues that in carrying out the President's restriction on discussing the planned operations, Helms denied his analysts the very information he considered necessary for them to have to provide intelligence judgments for senior policymakers. Helms took this decision even though the memorandum in question included a *judgment* on the possible consequences of United States intervention in Cambodia.

Thus, for whatever combination of reasons, in the spring of 1970 prior to the Cambodia incursion, the DCI did not provide senior policymakers formally with a national intelligence memorandum which argued that the operation would not succeed in thwarting the North Vietnamese effort to achieve control in Indochina.

Six weeks later, while the Cambodia incursion was still underway, the State Department requested a Special NIE (SNIE) on North Vietnamese intentions which would include a section on the impact of the United States intervention in Cambodia. A draft estimate was prepared and coordinated within the intelligence community, just as the incursion was ending. The estimate began with a number of caveats such as: "Considerable difficulties exist in undertaking this analysis at this time. Operations in Cambodia are continuing and the data on results to date is, in the nature of things, incomplete and provisional." The draft went on to say that assessing Hanoi's intentions is always a difficult exercise but "even more complicated in a rapidly moving situ-

³³ George Carver testimony, 3/5/76, p. 30.

³⁴ *Ibid.*, p. 10. Carver told the Committee that his overall judgments were "based on what I am reasonably convinced is a recollection of a series of conversations, although I cannot cite to you a specific conversation or give you a Memorandum for the Record that says that." (*Ibid.*, p. 15.)

^{34a} *Ibid.*, pp. 22-23.

ation, in which there are a number of unknown elements, particularly with respect to U.S. and Allied courses of action." With respect to the situation in Cambodia, the estimate concluded:

Although careful analysis of these losses suggests that the Communist situation is by no means critical, it is necessary to retain a good deal of caution in judging the lasting impact of the Cambodian affair on the Communist position in Indochina.³⁵

Despite all these qualifications, Helms again decided not to send the estimate to the White House. While Helms does not recall the reasons for his decision, he did tell the Committee:

In my opinion there is no way to insulate the DCI from unpopularity at the hands of Presidents or policymakers if he is making assessments which run counter to administrative policy. That is a built-in hazard of the job. Sensible Presidents understand this. On the other hand they are human too, and in my experience they are not about to place their fate in the hands of any single individual or group of individuals. In sum, make the intelligence estimates, be sure they reach the President personally, and use keen judgment as to the quantity of intelligence paper to which he should be subjected. One does not want to lose one's audience, and this is easy to do if one overloads the circuit. No power has yet been found to force Presidents of the United States to pay attention on a continuing basis to people and papers when confidence has been lost in the originator.³⁶

Nevertheless, as John Huizenga testified:

In times of political stress on intelligence, there is more a question of invisible pressures that might cause people to feel that they were being leaned upon, even though nobody asked them to take out some words or add some words . . . When intelligence producers have a general feeling that they are working in a hostile climate, what really happens is not so much that they tailor the product to please, although that's not been unknown, but more likely, they avoid the treatment of difficult issues.³⁷

In the end, the DCI must depend on his position as the President's principal intelligence adviser or on his personal relationship with the President to produce objective and independent national intelligence.³⁸ Organizational arrangements such as the Board of National Estimates may, nevertheless, help insulate the DCI from pressures; but

³⁵ Draft SNIE 14-3-70.

³⁶ Telegram from Richard Helms to the Select Committee, 3/23/76.

³⁷ Huizenga, 1/26/76, pp. 20-21.

³⁸ John Huizenga testified that "there were very few instances of gross interference." While "it's fair to say [the Cambodia and SS-9 cases] were gross, particularly the SS-9 case," objectivity and independence are difficult to uphold when political consensus breaks down over foreign policy issues. Huizenga concluded, "the experience of these years persuade me that we have yet to prove that we can have in times of deep political division over foreign policy a professional, independent, objective intelligence system." (Huizenga, 1/26/76, p. 9.)

only if they are used. In the cases of the SS-9 and Cambodia, Helms took the decisions without consulting with the Board collectively.

B. COORDINATOR OF INTELLIGENCE ACTIVITIES

1. *The Intelligence Process*

In theory, the intelligence process works as follows. The President and members of the NSC—as the major *consumers* of foreign intelligence—define what kinds of information they need. The Director of Central Intelligence with the advice of other members of the intelligence community establishes *requirements* for the collection of different kinds of intelligence. (An intelligence requirement is defined as a consumer statement of information need for which the information is not already at hand.) Resources are allocated both to develop new collection systems and to operate existing systems to fulfill the intelligence requirements. The collection agencies—the National Security Agency (NSA), CIA, DIA, and the military services—*manage* the actual collection of intelligence. Raw intelligence is then assembled by analysts in CIA, DIA, the State Department, and the military services and *produced* as finished intelligence for senior policymakers.

In practice, however, the process is much more complicated. The following discussion treats the Committee's findings regarding the means and methods the DCI has used to carry out his responsibility for coordinating intelligence community activities.

2. *Managing Intelligence Collection*

Although the responsibility of the DCI to coordinate the activities of the intelligence community is most general, the DCIs have tended to interpret their responsibility narrowly to avoid antagonizing the other departments and agencies in the intelligence community. While DCIs have sought to define the general intelligence needs of senior United States policymakers, they have not actually established intelligence collection requirements or chosen specific geographical targets.

The individual departments establish their own intelligence collection requirements to fulfill their perceived national and departmental needs. For example, DIA compiles the Defense Intelligence Objectives and Priorities document (DIOP) which is a single statement of intelligence requirements for use by all DOD intelligence components, in particular, Defense attaches, DIA production elements, the intelligence groups of the military services, and the military commands. The DIOP contains a listing by country of nearly 200 intelligence issues and assigns a numerical priority from one to eight to each country and topic. The State Department sends out ad hoc requests for information from United States missions abroad. Although the Department does not compile a formal requirements document, Foreign Service Officer reporting responds to the information needs of the Secretary of State.

In the absence of authority to establish intelligence requirements, the DCI relies on issuing general collection *guidance* to carry out his coordinating responsibilities. The DCI annually defines United States substantive intelligence priorities for the coming year in a DCI Directive. This sets out an elaborate matrix arraying each of 120 countries against 83 intelligence topics and assigning a numerical priority from

1 to 7 for each country and topic combination. Since 1973, the DCI has also distributed a memorandum called the DCI's "Perspectives" which defines the major intelligence problems policymakers will face over the next five years; a memorandum known as the DCI's "Objectives" which details the general resource management and substantive intelligence problems the community will face in the upcoming year; and the DCI's "Key Intelligence Questions" (KIQs) which identify topics of particular importance to national policymakers.

All these documents have in the past been reviewed by members of the intelligence community on USIB, but the DCI cannot compel the departments and agencies to respond to this guidance. For example, the Defense Intelligence Objectives and Priorities "express the spectrum of Defense intelligence objectives and priorities geared specifically to approved strategy" derived from the Joint Chiefs of Staff. But the DIOP does not include a large number of economic, political and sociological questions which the Defense Department considers inappropriate for it to cover. Consequently, Defense-controlled intelligence assets do not give priority to non-military questions even though such questions are established as priorities in the DCI's guidance.

In addition, through three intelligence collection committees of the United States Intelligence Board, DCIs have tried in the past to reconcile the different departmental requirements and to insure that the interests of the entire community are brought to bear in the intelligence collectors' operations.³⁹ The Committee on Imagery Requirements and Exploitation (COMIREX) dealt with photographic reconnaissance.⁴⁰ The SIGINT Committee coordinated the collection of signals and communications intelligence.⁴¹ The Human Resources Committee dealt with overt and clandestine human collection.⁴²

In the collection of overhead photography and signals intelligence, the DCI through the COMIREX and SIGINT Committees provides guidance as to targets and amounts of coverage. These Committees also administer a complex accounting system designed to evaluate how well, in technical terms, the specific missions have fulfilled the various national and departmental requirements. Because of the nature of overhead collection, the whole community can participate in selecting the targets and in evaluating its success. The operating agency is responsible solely to requirements and priorities established by the USIB committees. At the same time, the DCI *alone* cannot direct which photographs to take or when to alter the scope of coverage. The role of the DCI is to make sure that the preferences of the entire community are taken into account when targets are chosen.

³⁹ Under President Ford's Executive Order No. 11905, these three collection committees will probably continue under the DCI's responsibility to establish "such committees of collectors, producers, and users to assist in his conduct of his responsibilities."

⁴⁰ In 1955, Richard Bissell, a Special Assistant to the DCI, set up an informal Ad-Hoc Requirements Committee (ARC) to coordinate collection requirements for the U-2 reconnaissance program. Membership initially included representatives of CIA, the Army, Navy, and Air Force. Later representatives of NSA, the Joint Chiefs of Staff, and the State Department were added. In 1960, with the development of a new overhead reconnaissance system, the ARC was supplanted by a formal USIB Committee, the Committee on Overhead Reconnaissance or

For example, prior to the Middle East war in 1973, the USIB SIGINT committee recommended that the Middle East be a priority target for intelligence collection if hostilities broke out, and asked NSA to evaluate the intelligence collected and to determine appropriate targets. When the war broke out, NSA implemented this USIB guidance. Later in the week, the same committee discussed and approved DIA's recommendation to change the primary target of one collector. The DCI did not order the changes or direct what intelligence to collect, but through the USIB mechanism he insured that the community agreed to the retargeting of the system.

The DCI has been less successful in involving the entire intelligence community in establishing collection guidance for NSA operations or for the clandestine operations of CIA's Directorate of Operations. These collection managers have substantial latitude in choosing which activities to pursue; and the DCI has not yet established a mechanism to monitor how well these collectors are fulfilling the DCI's community guidance.

During 1975, USIB approved a new National SIGINT Requirements System, an essential feature of which requires USIB to initiate a formal community review and approval of *all* SIGINT requirements. In addition, each requirement must contain a cross reference to pertinent DCI priorities and specific KIQs. However, this system does

COMOR. COMOR's responsibilities included coordination of collection requirements for the development and operation of all overhead reconnaissance systems. As these programs grew and the volume of photographs increased, serious problems of duplication in imagery exploitation prompted the DCI and the Secretary of Defense to establish a special joint review group. Subsequently, it recommended the establishment of the National Photographic Interpretation Center (NPIC) and the creation of a new USIB Committee to coordinate both collection and exploitation of national photographic intelligence. In 1967, COMIREX was established.

⁴¹ During World War II, the military services controlled all communications intelligence. After the war, a U.S. Communications Intelligence Board (USCIB) was established to coordinate COMINT activities for the NSC and to advise the DCI on COMINT issues. However, in 1949 the Secretary of Defense set up a separate COMINT board under the Joint Chiefs of Staff to oversee the military's COMINT activities, and this arrangement stood for three years, despite the DCI's objections. In 1952, NSA was established with operational control over COMINT resources and the Secretary of Defense was given executive authority over all COMINT activities. At the same time, the USCIB was reconstituted under the chairmanship of the DCI to advise the Director of NSA and the Secretary of Defense. In 1958, the USCIB was merged with the Intelligence Advisory Committee to form the United States Intelligence Board. The COMINT Committee of the USIB was formed soon thereafter; this became the SIGINT Committee in 1962 when its responsibilities were extended to include ELINT.

⁴² General Bennett, Director of the Defense Intelligence Agency, proposed in 1970 the establishment of a USIB subcommittee to provide a national-level forum to coordinate the various human source collection programs, both overt and clandestine. Following objections from the CIA's Directorate of Operations, Director Helms decided instead to establish an ad hoc task force to study the whole range of HUMINT problems. After a year's study, the task force recommended the establishment of a USIB committee on a one-year trial basis. The President's Foreign Intelligence Advisory Board (PFIAB), in a separate study, also endorsed the idea. Subsequently, the Human Sources Committee was accorded permanent status in June 1974 and in 1975 its name was changed to the Human Resources Committee.

not vest in the DCI operational authority over NSA and its collection systems.⁴³ The Director of NSA will still determine which specific communications to monitor and which signals to intercept. In a crisis, the Secretaries of State and Defense and the military commanders will continue to be able to task NSA directly and inform the DCI and the SIGINT Committee afterwards.

In contrast to technical intelligence collection where the DCI has sought expanded community involvement in defining requirements, DCIs have not been very receptive to Defense Department interests in reviewing CIA's clandestine intelligence collection. In part, the DCIs have recognized the difficulty of viewing human collection as a whole, since it comprises many disparate kinds of collectors, some of which are not even part of the intelligence community. For example, Foreign Service Officers do not view themselves as intelligence collectors, despite the large and valuable contribution FSO reporting makes to the overall national human intelligence effort. In addition, the CIA's Clandestine Service (DDO) has lobbied against a USIB Human Sources Committee, fearing that it would compromise the secrecy of their very sensitive operations.⁴⁴

So DCIs, as Directors of the agency responsible for collecting intelligence clandestinely, resisted establishment of a permanent USIB committee to review human collection until 1974.⁴⁵ When established, the Committee was specifically not given responsibility for reviewing the operational details or internal management of the individual departments or agencies. In the case of "sensitive" information, departments and agencies were authorized to withhold information from the Committee and report directly to the DCI.

It is not surprising, therefore, that the Human Resources Committee has only just begun to expand community influence over human collection. The Committee issues a general guidance document called the Current Intelligence Reporting List (CIRL). Although the military makes some use of this document, the DDO instructs CIA Stations that the CIRL is provided only for reference and does not constitute collection requirements for CIA operations. The Human

⁴³ William Colby testified before the Committee:

"I think it is clear I do not have command authority over the [NSA]. That is not my authority. On the other hand, the National Security Council Intelligence Directives do say that I do have the job of telling them what these priorities are and what the subjects they should be working on are." (William Colby testimony, 9/29/75, pp. 20-21.)

⁴⁴ The DCI currently exercises some control over military clandestine operations. The Chief of Station in each country is the DCI's "designated representative" and has responsibility for coordinating all military clandestine operations. In the past, the DDO has only objected if the projects were not worth the risk or duplicated a DDO operation. The Chief of Station rarely undertook to evaluate whether the military operations could be done openly or would be successful.

⁴⁵ While the DCI has final responsibility for the clandestine collection of intelligence, he still faces problems in coordinating the clandestine and technical collection programs in his own agency. Illustrative of this is the recent establishment of a National Intelligence Officer (NIO) for Special Activities to help the DCI focus DDO operations on three or four central intelligence gaps. Director Colby determined that only through a special assistant could he break down the separate cultures of DDO and technical intelligence collection and the barriers between the intelligence analysts and DDO.

Resources Committee has initiated community-wide assessments of human source reporting in individual countries which emphasize the ambassador's key role in coordinating human collection activities in the field. But the Committee has not defined a national system for establishing formal collection requirements for the various human intelligence agencies.

In summary, the DCI does not have authority to manage any collection programs outside his own agency. The DCI only issues general guidance. The departments establish their own intelligence collection requirements and the collection managers (NSA, DIA, CIA, and the military services) retain responsibility for determining precisely which intelligence targets should be covered. President Ford's Executive Order does not change the DCI role in the management of intelligence collection activities.

3. *Allocating Intelligence Resources*

In a 1971 directive, President Nixon asked Director Helms to plan and review all intelligence activities including tactical intelligence and the allocation of all resources to rationalize intelligence priorities within budgetary constraints.⁴⁶ Since 1971, the DCI has prepared recommendations to the President for a consolidated national intelligence program budget. Director Helms, in his first budget recommendations, proposed a lid on intelligence spending, noting that "we should rely on cross-program adjustments to assure that national interests are adequately funded."⁴⁷ However, prior to President Ford's Executive Order, the DCI has had no way to insure authoritatively that such objectives were realized.

The DCI has independent budget authority over *only* his own agency which represents only a small percentage of the overall national intelligence budget. As chairman of an Executive Committee or ExCom for special reconnaissance activities, the DCI has been involved in the preparation of the program budget for the development and management of the major United States technical collection systems. However, differences of opinion between the DCI and the other member of the ExCom, the Assistant Secretary of Defense for Intelligence, were referred to the Secretary of Defense for resolution. The Secretary of Defense in his budget allocated the remaining intelligence community resources.

The DCI's role in the Defense intelligence budget process was in effect that of an adviser. The DCI's "Perspectives," which analyze the political, economic, and military environment over the next five years, have had little impact on the formulation of Defense intelligence resource requirements. According to John Clarke, former Asso-

⁴⁶ "Announcement Outlining Management Steps for Improving the Effectiveness of the Intelligence Community," November 5, 1971, 7 Pres. Docs. p. 1482. Nixon sought to enhance the role of the DCI as community leader and to give the DCI responsibility to coordinate Defense Department technical collection operations with other intelligence programs. Nixon's directive followed a comprehensive study of the intelligence community by the Office of Management and Budget (known as the Schlesinger Report) which recommended a fundamental reform in the intelligence community's decisionmaking bodies and procedures.

⁴⁷ Director of Central Intelligence, *National Intelligence Program Memorandum, FY 1974*, p. 44.

ciate Deputy to the Director of Central Intelligence for the Intelligence Community, the "Perspectives" "did not have any great bearing on the formal guidances that the different departments having intelligence elements used in deciding how much they needed or how many dollars they required for future years."⁴⁸ The military services and DIA responded to the fiscal guidance issued by the Secretary of Defense.

The DCI's small staff of seven professionals in the Resource Review Office of the Intelligence Community Staff kept a low profile and spent most of its time gathering information on the various Defense intelligence activities. They did not provide an independent assessment of the various programs for the DCI. Consequently, the DCI rarely had sufficient knowledge or confidence to challenge a Defense Department recommendation. When the DCI did object, he generally focused on programs where he thought the Defense Department was not giving adequate priority to intelligence activities in which the President had a particular interest.

For example, partly as a result of the intense concern by the NSC staff, the DCI expended substantial effort to insure that two Air Force ships, initially built to operate on the Atlantic missile range monitoring Cape Canaveral firings, continued to be available to monitor foreign missile activities. When in 1970-1971, the number of United States missile tests decreased substantially, the Air Force proposed that both ships be retired. The DCI, in turn, requested an intelligence community study which concluded that the ships were essential for foreign intelligence purposes. Consequently, the DCI brokered an arrangement for a sharing of the ships' cost within the Department of Defense. Today, a little under 20 percent of the ship program is devoted to intelligence needs. The DCI had neither the authority to direct the retention of these Air Force ships nor sufficient resources to take over their funding for intelligence purposes to insure that they were not retired. Nevertheless, the DCI played a definite role in working out an arrangement whereby at least one ship will be available until the national intelligence requirement can be met by another means.⁴⁹

In practice, the DCI only watched over the shoulder of the Assistant Secretary of Defense for Intelligence as he reviewed the budget requests of DIA, NSA, and the military services. If the DCI wished to raise a particular issue, he had a number of possible forums. He could set up an ad hoc interagency study group or discuss the question in the Intelligence Resources Advisory Committee (IRAC).⁵⁰ He could highlight resource issues in the annual fall joint OMB-Defense Department review of the Defense budget or in his December letter to the President presenting the consolidated national intelligence budget. However, the groups were only advisory to the DCI and had no authority over the Secretary of Defense. The joint review and the

⁴⁸ John Clarke testimony, 2/5/76, pp. 15-16.

⁴⁹ According to Carl Duckett, the CIA's Deputy Director of Science and Technology, "frankly we had to fight very hard the last two years to keep the ships active at all." (Carl Duckett testimony, 11/10/75, pp. 106-107.)

⁵⁰ IRAC was established in 1971 to advise the DCI in preparing a consolidated intelligence program budget for the President. Members included representatives from the Departments of State and Defense, OMB, and the CIA. IRAC was abolished by President Ford's Executive Order of 2/18/76.

DCI's letter to the President occurred so late in the Defense Department budget cycle that the DCI had little opportunity to effect any significant changes.

Thus, the DCI's national budget recommendations were for the most part the aggregate figures proposed by the various Defense agencies. The DCI did not provide an independent calculated evaluation of the entire national intelligence budget. The DCI did not present the President with broad alternative options for the allocation of national intelligence resources. The DCI was not able to effect trade-offs among the different intelligence programs or to reconcile differences over priorities. Finally, the President's decisions on the intelligence budget levels were not based upon the recommendations of the DCI, but rather upon Defense Department totals. According to John Clarke:

I would have to submit that in my judgment I do not think the Presidents have used the Director's recommendations with respect to the intelligence budgets. There have been few exceptions where they have solidified behind the Director's appeal, but fundamentally he has looked to the Secretary of Defense to decide what level of intelligence activities there should be in the defense budget.⁵¹

Because the Secretary of Defense had final authority to allocate most of the intelligence budget, the DCI either had to "persuade" the Secretary to allocate Defense intelligence resources according to the Director's recommendations or take his case directly to the President. According to James Schlesinger:

. . . the authority of whoever occupies this post, whatever it is called comes from the President. . . . To the extent that it is believed that he has the President's ear, he will find that the agencies or departments will be responsive, and if it is believed that he does not have the President's ear, they will be unresponsive.⁵²

But because the DCI must expend substantial political capital in taking a Defense budget issue to the President, he rarely has sought Presidential resolution. Over the past five years, the DCI went directly to the President only twice. Both these issues involved expensive technical collection systems, and both times the DCI prevailed.

In summary, DCIs have not been able to define priorities for the allocation of intelligence resources—either among the different systems of intelligence collection or among intelligence collection, analysis, and finished intelligence. Without authority to allocate intelligence budget resources, DCIs have been unable to insure that unwarranted duplication and waste are avoided.

4. Key Intelligence Questions

As described above, DCIs have confronted major problems in seeking to carry out their coordinating responsibilities under the 1947 National Security Act. They have not had authority to establish requirements for the collection or production of national intelligence.

⁵¹ Clarke, 2/5/76, p. 27.

⁵² Schlesinger, 2/2/76, pp. 43, 45.

They have not been able to institute an effective means to evaluate how well the community is carrying out their guidance. They have not had a mechanism to direct the allocation of intelligence resources to insure that the intelligence needs of national policymakers are met.

To help solve these problems, Director Colby instituted a new intelligence management system known as the Key Intelligence Questions (KIQs). Through formation of a limited number of KIQs, Colby tried to focus collection and production efforts on critical policymaker needs and to provide a basis for reallocating resources toward priority issues.⁵³ This section will briefly highlight the resistance which Colby's new management scheme provoked and the difficulties experienced in evaluating the overall community efforts.

The KIQ scheme had four stages. First the DCI issued the KIQs. Then the National Intelligence Officers (NIOs) with representatives from the various collection and production agencies developed a strategy to answer the individual KIQs. After surveying what information was currently available to answer the KIQs, the various agencies made commitments to collect and produce intelligence reports "against" the various KIQs. At the end of the year, the DCI evaluated the intelligence community's performance.

The KIQ management process has finished its first full year of operation and a beginning has been made to provide intelligence consumers with the opportunity to make known their priorities for intelligence collection and production. Collection managers have been brought together in developing a strategy to answer key questions and analysts have received guidance as to the kinds of reports they should produce. In addition, the DCI now has before him considerable information about how the intelligence community is focusing on intelligence questions which are important to senior national policymakers. He should be in a better position to show collection and production managers where they have failed to meet their commitments to work against individual KIQs or to spend a high percentage of their resources on KIQ-related activities.

However, while the KIQ concept is imaginative, the management tool has encountered serious problems. First, the KIQ system does not solve the DCI's problem of trying to establish priorities in intelligence collection and production. Few topics are not included under one KIQ or another. The KIQs have not yet been meshed with the existing requirements system. While the KIQs are supposed to establish collection and production requirements in lieu of the DCI's Directive on priorities, both continue to exist today. The Defense Department has not only continued to issue the DIOP but has produced its own Defense Key Intelligence Questions (DKIQs) which number over 1,000. Instead of providing a means for the DCI to establish priorities for the intelligence community, the KIQs to date have added another layer of requirements.

⁵³ In FY 1975, there were 69 KIQs, drafted by the DCI's National Intelligence Officers in consultation with the NSC Intelligence Committee working group. Approximately one-third of the KIQs dealt with Soviet foreign policy motivations and military technology. The other KIQs dealt with such issues as the negotiating position of the Arabs and Israelis, the terrorist threat, etc.

Second, Colby's management scheme has met strong resistance from the collection and the production agencies. After one year it is difficult to identify many intelligence activities that have changed because of the KIQs. The KIQ Strategy Reports were issued nine months after the KIQs and tended to list collection and production activities already under way. The DCI was not in a position to direct the various members of the intelligence community to undertake commitments for different collection efforts, and the Strategy Reports rarely contained new commitments.

While all agencies participated, DIA and DDO have responded to the KIQs only insofar as they were consistent with their respective internal collection objectives. DIA's "KIQ Collection Performance Report" pointed out that "the Defense Attache system primarily responds to the DKIQs and JSOP [Joint Strategic Objectives Plan] objectives and therefore, responses to KIQs will have to maintain consistency with the two aforementioned collection guidance vehicles."⁵⁴ In fact, DIA writes its "Intelligence Collection Requests" and "Continuing Intelligence Requirements," and they are then keyed back to the relevant KIQs, somewhat as an afterthought.⁵⁵

The Deputy Director of Operations for the CIA issues his "Objectives" for the collection of clandestine human intelligence. While these are derived from the KIQs, these "Objectives" are in fact the collection requirements of the Clandestine Service. Since it takes so long to recruit agents, DDO considers it is not in a position to respond to specific KIQs dealing with near-term intelligence gaps unless a source is already in place. Moreover, DDO determined not to deflect or divert its effort to satisfy KIQs unless the questions happened to fall within DDO internal objectives.

DIA and DDO invoked the KIQs to justify their operations and budgets, however they did not appear to be shaping the programs to meet KIQ objectives. Without authority to direct resources to answer the specific Key Intelligence Questions, the DCI had little success in compelling the major collectors and producers of intelligence to respond to the KIQs, if they were unwilling. Only NSA has made a serious effort to insure that their collection requirements are responsive to the KIQs. In USIB meetings, NSA Director General Allen argued that the KIQs should be viewed as requirements for the intelligence community and the KIQ Strategy Reports should provide more detailed instructions to field elements for collection.⁵⁶

Colby's new management scheme also failed to establish a workable evaluation process. NIOs provided subjective judgments as to how well the community had answered each KIQ and an assessment of the relative contribution of each agency. Although NIOs discussed their assessments with consumers, they had no staff to conduct a systematic and

⁵⁴ DIA, "KIQ Collection Performance Report," 8/18/75.

⁵⁵ In FY 1975, only 7 percent of DIA's attaché reports responded to KIQs. Out of 2,111 attaché reports against the KIQs only 34 of the 69 were covered. According to DIA, military attachés have access to particular types of information and it would be unfair to assume they had the capability to respond to all the KIQs.

⁵⁶ Minutes of USIB meeting, 2/6/75. Approximately 70 percent of NSA's requirements for FY 1975 were KIQ-related, and about 50 percent of its operations and maintenance budget could be ascribed to the KIQs.

independent review of how well the community had answered the questions. Furthermore, NIOs did not base their evaluations on any specific kinds of information, such as all production reports or all raw intelligence collected on a particular KIQ. They commented on how well the agencies had carried out their commitments in the Strategy Reports without asking the collectors for any information about what activities they undertook or what amount of money had been spent. They merely took the collector's word that something had or had not been done. Finally, they did not develop a method to insure that the judgments of the individual NIOs were consistent with each other.

In addition, the IC Staff aggregated the amount of resources expended by the various collection and production managers in answering each KIQ and determined what problems had been encountered. However, collection and production managers prepared cost estimates of the activities expended against individual KIQs according to an imprecisely defined process. And although the IC Staff provided guidance as to how to do the calculations, the decisions as to how best to estimate costs were left to the individual agencies. Not surprisingly, the agencies employed different methods.⁵⁷ Consequently, the cost estimates were not comparable across agencies, and the IC Staff had no way of making them comparable, since they could not change the different accounting systems in the various intelligence agencies.⁵⁸

In summary, the evaluation process did not permit a comparison of total efforts and results against the KIQs on a community-wide basis. Colby lacked the necessary tools to use the KIQ management system to effect resource allocation decisions. The DCI at best was in a position to shame recalcitrants into action by pointing up stark failures in a particular agency's efforts against the KIQs. The KIQ process was only a surrogate for DCI authority to allocate the intelligence resources of the community.

Colby's frustrations in trying to direct intelligence community efforts via the KIQ process are indicative of the DCI's limited authority. Within the present intelligence structure, an effort to get the DDO and DIA to respond to what the DCI has defined as key policymaker intelligence questions met considerable resistance. Thus, the most important issue raised by the KIQ management experience is not how to refine the process but whether the DCI can really succeed in directing collection and production activities in the intelligence community toward critical policymaker needs without greater authority over the allocation of resources.

⁵⁷ For example, DIA begins with the assumption that 60 percent of the Defense attaché budget goes for collection. This figure is then multiplied by the percentage of attaché reports which responded to KIQs and the total cost expended against the KIQs was calculated to be \$1.3 million. In contrast, DDO calculates cost according to the IC Staff's recommended formula, which estimates the number of manhours devoted against the KIQs and multiplies the estimate by an average production manhour cost.

⁵⁸ In addition, while the State Department provides cost estimates of INR's intelligence production costs, it did not submit collection cost statistics, maintaining that Foreign Service reports were not intelligence collection. So the evaluation process did not provide a complete picture of intelligence collection on individual KIQs.

5. *President Ford's Executive Order*

On February 18, 1976, President Ford announced a reorganization of the intelligence community to "establish policies to improve the quality of intelligence needed for national security, to clarify the authority and responsibilities of the intelligence departments and agencies. . . ." The major change introduced by the President is the formation of the Committee on Foreign Intelligence (CFI) chaired by the DCI and reporting directly to the NSC. The CFI will have responsibility to: (1) "control budget preparation and resource allocation for the National Foreign Intelligence Program;" (2) "establish policy priorities for the collection and production of national intelligence;" (3) "establish policy for the management of the National Foreign Intelligence Program;" and (4) "provide guidance on the relationship between tactical and national intelligence."⁵⁹

It is still too soon to pass judgment as to whether the Executive Order will aid the DCI in his efforts to coordinate the activities of the intelligence community. By making the DCI chairman of the CFI, the Executive Order appears to enhance the stature of the DCI by expanding his role in the allocation of national intelligence resources. But, as in the case of the Nixon directive in 1971, the DCI appears to have been given an expanded set of responsibilities without a real reduction in the authority of other members of the intelligence community over their own operations. There exist many ambiguities in the language of the Executive Order, particularly with regard to the role of the CFI.

The CFI is given responsibility to "control budget preparation and resource allocation" for national intelligence programs, but the Secretary of Defense retains responsibility to "direct, fund, and operate NSA." The CFI is asked to "review and amend" the budget prior to submission to OMB, as if the CFI will not control the preparation of the budget but rather would become involved only after the agencies and departments independently put together their own budget. Finally, the relationship is not clear between the DCI's responsibility to "ensure the development and submission of a budget" and the CFI's responsibility to "control budget preparation."

Moreover, the specific prohibition against DCI and CFI responsibility for tactical intelligence appears to be a step backward from the 1971 Nixon directive which asked the DCI to plan and review the allocation of *all* intelligence resources. While DCIs since 1971 have not become deeply involved in such tactical intelligence questions, they have reserved the right to become involved; and on several occasions they have supported efforts to transfer money from the national Defense Department intelligence budget to the budgets of the military services, or vice versa. There are, in addition, at least theoretical trade-offs to be made between tactical and national intelligence, especially since the dividing mark between all intelligence operations has become increasingly blurred with the development of large and expensive technical collection systems.

⁵⁹ Executive Order No. 11905. Other members of the CFI will be the Deputy Secretary of Defense for Intelligence and the Deputy Assistant to the President for National Security Affairs.

C. DIRECTOR OF THE CIA

At the same time the DCI has responsibility for coordinating the activities of the entire community, he also has direct authority over the intelligence operations of the CIA. As Director, the DCI runs covert operations and manages the collection of clandestine human intelligence (Directorate of Operations); manages the collection of signals intelligence abroad and allocates resources for the development and operation of certain technical collection systems (Directorate of Science and Technology); and produces current intelligence and finished intelligence memoranda (Directorate of Intelligence).

The fact that the DCIs have also directed the operations of the CIA has had a variety of consequences. First, DCIs have tended to focus most of their attention on CIA operations. The first Directors were preoccupied with organizing and establishing CIA and with defining the Agency's role in relation to the other intelligence organizations. While Allen Dulles and Richard Helms were DCI, each spent considerable time running covert operations. John McCone focused on improving the CIA's intelligence product and developing new technical collection systems when he was Director. Admiral Raborn emphasized refining the Agency's budgetary procedures.⁶⁰

Second, by having their own capabilities to collect and produce intelligence, DCIs have been able to assert their influence over the intelligence activities of the other members of the intelligence community. John Clarke, former Associate Deputy to the DCI for the Intelligence Community, testified that Helms objected to the suggestion that CIA get rid of all its SIGINT activities because he needed "something to keep [his] foot in the door" so he could "look at the bigger problem."⁶¹ According to Clarke:

. . . to some degree historically, the Director's involvement has not only been based upon good, healthy competition among systems, which I think is good, but the directors have seen it as an opportunity to give them a voice at the table in judgments which have importance to their higher role, a larger role as Director of CI.⁶²

However, this ability to assert influence in turn has had another consequence: DCIs have been accused of not being able to play an objective role as community leader while they have responsibility for directing one of the community's intelligence agencies. Potential conflict exists in decisions with respect to every CIA activity. For example, on each of the two occasions that the DCI went directly to the President to object to a Defense Department budget recommendation, the DCI won Presidential support for a CIA-developed technical collection system. Such DCI advocacy raises the fundamental question of whether the DCI can indeed be an objective community leader if he is also Director of the CIA which undertakes research and development on technical collection systems. According to James Schlesinger:

There has always been concern and frequently there has been the reality that the DCI does not overlook all these

⁶⁰ Colby, 12/11/75, pp. 4-5.

⁶¹ Clarke, 2/5/76, p. 59.

⁶² *Ibid.*, pp. 59-60.

assets in a balanced way . . . as long as the DCI has special responsibility for the management of clandestine activities, that it tends to affect and to some extent contaminate his ability to be a spokesman of the community as a whole involving intelligence operations which are regarded as reasonably innocent from the purview of American life.

Components of the intelligence community other than the CIA have feared that the DCI would be tempted to expand the authority of the CIA in the collection activities relative to the other components of the intelligence community. And there has been some evidence that supports such suspicion. . . .

What I believe is at the present time you have got inconsistent expectations of the DCI. He's supposed to be the fair judge amongst the elements of the intelligence community at the same time that CIA personnel expect him to be a special advocate for the CIA. You cannot have both roles.⁶³

President Ford's Executive Order seeks in part to reduce the conflict of interest problem by establishing two Deputies to the DCI, one for intelligence community affairs and one for CIA operations. The DCI and his Deputy for community affairs will have offices in downtown Washington. Nevertheless, the DCI will continue to have an office at CIA headquarters and to have legal responsibility for the operations of the Agency and at the same time general responsibility for coordinating the activities of the entire intelligence community.

⁶³ Schlesinger, 2/2/76, pp. 8, 49.

