

25 March 1975

A. RESPONSIBILITIES AND SUPPORT

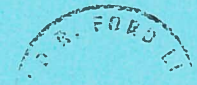
In treating with Congressional inquiries, the Director of Central Intelligence will provide leadership to the Intelligence Community. The Associate Deputy to the DCI for the Intelligence Community, supported by the Intelligence Community Staff, will provide the principal staff direction and congressional liaison for the DCI in these matters. He will serve as a focal point for coordination among Intelligence Community entities and assure communication with the Executive Office as appropriate. The IC Staff with the assistance of USIB Agencies will provide legal, security, substantive, and registry support structured so as to assure appropriate support to the DCI and the Intelligence Community. The AD/DCI/IC will chair an Ad Hoc Coordinating Group of USIB as a principal mechanism for exchanging information and coordinating USIB activities with respect to the inquiry where needed. The AD/DCI/IC and the USIB Ad Hoc Coordinating Group will establish periodic and special time sensitive reporting to keep the DCI, the USIB principals, and involved Executive Branch agencies advised on USIB Agencies' liaison relationships with the Select Committees and on substantive exchanges in response to Select Committee inquiries. Where useful, common standards and procedures will be developed by the USIB Ad Hoc Coordinating Group.

B. COORDINATION

1. Physical security is proceeding well. The Chairman of the Security Committee of USIB has been assigned as the principal Intelligence Community officer on physical security and clearance matters. Agreements have been reached with the Senate Select Committee on physical security standards. These standards have been provided to the House Select Committee Staff. The Senate has arranged for central facilities which meet the physical security standards and has appointed a full-time security officer who will provide certification of personnel clearances. The House at the present time is not planning central facilities and we understand will be dispersed in at least three different locations.

We're advised that Committee members do not intend to discuss subject matter of the inquiry outside the Committees or with personal staffs. Nevertheless, we must assume that discussion of classified information may occur between Committee members and Staff outside of the security-approved Committee rooms and particularly in the offices of the members of the Select Committee. Agreement has been reached that the FBI will approach the House and Senate Staff Directors and offer technical sweep services for the offices of Select Committee members.

Photocopy from Gerald R. Ford Library
WHQpus: Richard Cheney files: Intel sweep, b.6, fi "Carq Investigations (1)."



2. Personnel security investigations on Select Committee Staff are under way by the FBI. It is understood that upon completion of Staff investigations, the Select Committee Chairman will certify to the DCI the Top Secret clearances of Committee Staff. The DCI, through his Intelligence Community Staff, will pass along the certification to the security elements of the respective agencies. Compartmented clearance arrangements and certification also have been agreed with the Senate Select Committee Staff. Similar arrangements have been discussed with the House Select Committee Staff.

3. Secrecy agreements for the Senate Select Committee Staff employees are being drafted and the AD/DCI/IC, supported by the CIA General Counsel and the Associate Deputy Attorney General, will negotiate similar arrangements with the House. The DCI policy is to insist upon secrecy agreements.

4. Arrangements will be established for the indexing and abstracting of documents, testimony and transcripts, and for procedures to protect sources and methods which may be contained in the material flowing to the Select Committees from all Intelligence Community agencies. A central index service will be provided by the Intelligence Community Staff to serve as a point of record on release of materials including sign off where Third Agency rule applies. The following describe the general content of this central index.

a. All requests received by Intelligence Community entities from the Select Committees.

b. All other communications from Select Committees on subject of interest to more than one agency.

c. Reports and responses by other non-intelligence elements of the Executive Branch (if desired by those elements).

d. Identification of document responses provided to the requests, listing of subjects covered, and record of clearing officers.

e. Prepared statements and transcripts of testimony made to Select Committees.

f. Selective material released or denied under the Freedom of Information legislation which relates to subjects of interest to the Select Committees.



Under this concept, all intelligence entities would have a reporting responsibility to keep the central index current. Procedures will be developed. All agencies would retain responsibility for the physical possession and accessibility of their documents. The third agency rule will apply in providing documents to the Select Committees.

C. PROTECTION AND HANDLING OF MATERIALS

1. It is suggested that in general there are four levels of security applied to documents supplied to the Committees.

a. The bulk of historical data, organizational directives, budgets, cash flow, command and control procedures, etc. should be made available to the Committees on request and transmitted by the agencies concerned directly to the Select Committees. This material will be under the control of the Select Committees. It should be properly classified as appropriate to assure downgrading under the Freedom of Information Act is consistent with the judgment of the originating agency. The agencies will inform the central registry of the IC Staff of such transmissions and provide a description of the materials. The record file will be maintained by the originating agency so that it may be retrieved if necessary for use by authorized persons.

b. A second level of material will involve more sensitive data where sanitization or compartmented arrangements may be desired. Agencies will be responsible for these determinations. The IC Staff and the USIB Security Committee will develop general guidelines for application of sanitization procedures. Emphasis will be placed on protecting sources and methods while providing meaningful response and documentation to the Select Committees. The record copy of all such material will be available in the originating agencies. The existence of the original file and its sanitized version and location will be recorded with the registry. Keys to sanitized versions will be held by the agencies concerned.

c. A third type of material will be made available to Select Committee members or staff at the originating agency or if desirable at a central point to be determined. (Facilities for a central reading room can be established by the IC Staff, if desired.) This material would be provided in the presence of an authorized representative of the originating



agency. These "fondling" files may have specific limitations placed upon them by the agencies concerned. Where such search limitations are determined, they should be consistent with the agreements contained in the DCI letter to Senator Church or with ground rules agreed among responsible agencies or with the Select Committees. The Ad Hoc Coordinating Group provides one forum for such determinations where interagency discussions are useful.

A fourth type of material for numerous reasons will not be available to Select Committee Staff in its raw form, e. g. , memoranda to or from the President, especially sensitive matters where Executive Branch prerogatives are involved. This material can be used to prepare briefs or provide briefings to Select Committee Staff or members but specific documentations normally will not be provided. If such briefs or briefings do not satisfy the Select Committees, negotiations will be undertaken with the Committees. The DCI should be kept advised in all such instances. Normally, if after negotiations there is provision of raw data, such data will be hand-carried to the Committees and read by the Committee or Staff members in the presence of an authorized representative of the originating agency as in c. above. This shall be made a matter of record by memorandum of the originating agency to the DCI and recorded in the IC registry along with the ground rules negotiated with the committees and the agencies in their negotiations. These ground rules will normally be an agenda item on the Ad Hoc Coordinating Group agenda.

2. Testimony given in informal interview with Select Committee Staff will be recorded normally in a memorandum of record and filed in the agency concerned. Employees not wishing to report such testimony are free from doing so. Notification will be given to the IC central index of the existence of the file, its location and access rules. To the degree possible, the registry will cross-reference all materials provided the Committees and will prepare current reports on such materials.

D. LEGAL SUPPORT AND QUALITY CONTROLS

1. The Intelligence Community Staff has several lawyers who will be assigned to provide support to legal matters relating to this inquiry. The leader of this group will be expected to have regular consultation with the



General Counsels of all USIB Agencies and the Department of Justice, the NSC, the OMB, and other Executive Branch elements involved in the inquiry. Since the inquiry can result in the introduction of legislation, the IC Staff lawyers will also provide to the DCI appropriate legal briefs for his use. The recording of these briefs will also be made by the central index. The lawyers will also assist the DCI and USIB in ensuring that the Select Committees' procedures are developed in consideration of the legal and constitutional position of the USIB agencies and employees thereof.

2. We can anticipate the Select Committees will have 40-50 staff personnel involved in the inquiries and that they will normally proceed directly to the agencies concerned within their functional areas of interest. Cross agency activity coordination and substantive comparisons will occur within the Select Committees' staffs. It is in the interest of the USIB Agencies to assure equally good coordination between and among the members and Executive Branch elements as appropriate in the material and testimony provided and that a general quality control of the product is exercised. The Ad Hoc Coordinating Group provides the forum for keeping intelligence entities informed on responses provided in the course of the inquiry and avoiding surprise. Further, the IC Staff will establish a small quality control and evaluative function and be alert to the indicators available as the investigations proceed of potential actions or further inquiries that could derive from materials or testimony provided by the various agencies.

3. There will be a range of "skeletons" and allegations which may surface in the course of the inquiry. USIB Agencies will seek to assure that all the facts are found and addressed so as to be responsive to the Select Committee inquiry and in consideration of the Administration.

E. ALLEGATIONS AND PUBLICITY

1. The nature of the investigation will undoubtedly continue to afford considerable public discourse. Many press allegations will cause further inquiry. A system to check the veracity of such allegations should be established by each USIB Agency. The IC Staff will also undertake to monitor press allegations and discuss them with the agencies involved as appropriate.

2. Senator Church intends to provide the press with commentary on selective testimony or facts pertaining to the inquiry. He has advised that he will clear with the Director these releases to avoid inadvertent disclosure harmful to U.S. intelligence agencies. Review of such releases will be undertaken by the IC Staff in concert with appropriate agencies.

3. In preparing statements or testimony to be given in open or closed hearings, senior intelligence officials should avail themselves of all previous related testimony or material furnished by other sources.

4. The DCI, through his IC Staff, will assure regular consultation with Executive Branch agencies on press matters and take steps to foster good communication between USIB entities and political officials.

Notification of all inquiries from press officials to intelligence agencies concerned should be provided to the IC Staff and a record of these inquiries maintained in the central registry.