



Director of Central Intelligence Directive 1/1

The Authorities and Responsibilities of the Director of Central Intelligence as Head of the U.S. Intelligence Community

(Effective 19 November 1998)

This directive is promulgated pursuant to Sections 102 and 103(c) of the National Security Act of 1947, as amended (NSA), and Executive Order 12333.

A. Purpose

This directive establishes a system of DCI Directives (DCIDs) and subsidiary issuances, provides a summary of DCI authorities and responsibilities, assigns responsibility for the execution of certain DCI authorities and responsibilities and provides for a process for the creation and coordination of DCI directives and subsidiary issuances. The goal of this system of directives is to enable the Director of Central Intelligence to provide timely, coordinated and clear guidance and direction to the Intelligence Community. The process established is based on the authorities and responsibilities of the DCI as head of the US Intelligence Community, as assigned by the National Security Act of 1947, as amended, Executive Orders 12333, 12951, 12958, and other statutes, Presidential directives, and National Security Council Intelligence Directives (NSCIDs).

B. The Authorities and Responsibilities of the Director of Central Intelligence Related to the U.S. Intelligence Community

The list of authorities and responsibilities of the DCI in this DCID is intended to be illustrative. Readers are directed to the citations for controlling language. In all cases, the language in the original citation is controlling. This DCID is not intended to act in derogation or arrogation of the authorities and responsibilities of the DCI or the head of any other agency, department or organization contained in statute, Executive Order, Presidential directive or NSCID. Furthermore this DCID is not intended to act in derogation or arrogation of any authorities and responsibilities of the DCI or the head of any other agency, department or organization which may not be listed herein. By way of example, this DCID does not derogate or arrogate any of the authorities of the Secretary of Defense found in §105 of the National Security Act; 50 United States Code (hereafter USC) section 403-5.

1. Management

a. General.

(1) The Director of Central Intelligence serves as head of the United States Intelligence Community; acts as the principal advisor to the President for intelligence matters related to the national security; and serves as the head of the Central Intelligence Agency. (NSA §102(a); 50 USC 403(a); see also, E.O. 12333, §1.5(a).)

(2) To the extent recommended by the National Security Council and approved by the President, the DCI shall have access to all intelligence related to the national security which is collected by any department, agency or other entity of the United States. (NSA §104(a); 50 USC 403-4(a).)

(3) The heads of all Executive Branch departments and agencies shall, in accordance with law and relevant procedures approved by the Attorney

General, give the DCI access to all information relevant to the national intelligence needs of the United States, and shall give due consideration to requests from the Director for appropriate support for Intelligence Community activities. (E.O. 12333, § 1.6(a).)

(4) The DCI is responsible for developing such objectives and guidance for the Intelligence Community as will enhance the capabilities for responding to expected future needs for national foreign intelligence. (E.O. 12333, §1.5(b).)

(5) In the performance of his duties under the National Security Act, and subject to the direction of the President, the DCI may attend and participate in meetings of the National Security Council. (NSA §101(j); 50 USC 402(j).) (6) The DCI is a member of the Committee on Foreign Intelligence of the National Security Council. (NSA §101(h)(2)(A); 50 USC 402(h)(2)(A).)

(7) The DCI is a member of the Committee on Transnational Threats of the National Security Council. (NSA § 101(i)(2)(A); 50 USC 402(i)(2)(A).)

b. Appointment and Evaluation of Officials Responsible for Intelligence Related Activities

(1) In the event of a vacancy in the position of the Director, National Security Agency (NSA); the Director, National Reconnaissance Office (NRO); or the Director, National Imagery and Mapping Agency (NIMA), the Secretary of Defense shall obtain the concurrence of the DCI before recommending to the President an individual for appointment to the position. If the DCI does not concur in the

recommendation, the Secretary of Defense may make the recommendation to the President without the DCI's concurrence, but shall include in the recommendation a statement that the Director does not concur in the recommendation. (NSA §106(a); 50 USC 403-6(a).)

(2) In the event of a vacancy in the position of the Director, DIA; the Assistant Secretary of State for Intelligence and Research; or the Director of the Office of Nonproliferation and National Security [now, Office of Intelligence], DOE; the head of the department or agency having jurisdiction over the position shall consult with the DCI before appointing an individual to fill the vacancy or recommending to the President an individual to be nominated to fill the vacancy. (NSA §106(b); 50 USC 403-6(b).)

(3) In the event of a vacancy in the position of the Assistant Director, National Security Division of the Federal Bureau of Investigation, the Director of the Federal Bureau of Investigation shall provide timely notice to the DCI of the recommendation of the Director of the Federal Bureau of Investigation of an individual to fill the position in order that the DCI may consult with the Director, FBI, before the Attorney General appoints an individual to fill the vacancy. (NSA §106(b)(3); 50 USC 403-6(b)(3).)

(4) The DCI, in consultation with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff is required to submit each year to the Committee on foreign Intelligence of the NSC and to the appropriate congressional committees¹ an evaluation of the performance and the responsiveness of the National Security Agency, the National Reconnaissance Office and the National Imagery and Mapping Agency in meeting their national missions. (NSA §105(d); 50 USC 403-5(d).)

c. Staffs, Committees and Advisory Groups

The DCI is authorized to appoint advisory committees and to employ part-time advisory personnel as the Director deems necessary in the execution of the Director's functions, consistent with the terms set forth in section 303 of the National Security Act. (NSA §303; 50 USC 405; see also, E.O. 12333, §1.5(j), "[The DCI shall] establish appropriate staffs, committees, or other advisory groups to assist in the execution of the Director's responsibilities.")

d. Congressional Reporting Requirements

(1) To the extent consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters, the DCI and the heads of all departments, agencies, and other entities of the United States Government involved in intelligence activities shall keep the intelligence committees fully and currently informed of all intelligence activities, other than a covert action, which are the responsibility of, are engaged by, or are carried out for or on behalf of, any department, agency, or entity of the United States Government, including any significant anticipated intelligence activity and any significant intelligence failure. (NSA §502(1); 50 USC 413a(1).)

(2) To the extent consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters, the DCI and the heads of all departments, agencies, and other entities of the United States Government involved in intelligence activities shall furnish the

intelligence committees any information or material concerning intelligence activities, other than covert actions, which is within his custody or control, and which is requested by either of the intelligence committees in order to carry out its authorized functions. (NSA §502(2); 50 USC 413a(2).)

(3) To the extent consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters, the DCI and the heads of all departments, agencies, and other entities of the United States Government involved in a covert action shall keep the intelligence committees fully and currently informed of all covert actions which are the responsibility of, are engaged in by, or are carried out for or on behalf of, any department, agency, or entity of the United States Government, including significant failures; and shall furnish to the intelligence committees any information or material concerning covert actions which is in the possession, custody or control of any department, agency, or entity of the United States Government and which is requested by either of the intelligence committees in order to carry out its authorized responsibilities. (NSA §503(b); 50 USC 413b(b).)

e. Providing and Promoting Services of Common Concern

As head of the Central Intelligence Agency, the DCI is charged with performing such additional services of common concern to elements of the intelligence community, which services the Director determines can be more efficiently accomplished centrally. (NSA § 103(d)(4); 50 USC 403-3(d)(4); see also, E.O. 12333, § 1.5(c), "[The DCI is responsible for] promot[ing] the development and maintenance of services of common concern by designated

intelligence organizations on behalf of the Intelligence Community....")

f. Promoting Common Administrative Practices

The DCI is charged with instituting policies and programs, in coordination with the heads of departments and agencies with elements in the Intelligence Community:

(1) to provide for the rotation of personnel among elements of the Intelligence Community, where appropriate, and to make such rotated service a factor to be considered for promotion to senior positions, and

(2) to consolidate, wherever possible, personnel, administrative, and security programs to reduce the overall costs of these activities within the Intelligence Community. (NSA § 104(f); 50 USC 403-4(f).)

g. Intelligence Related Space Activities

The DCI has been assigned authorities and responsibilities under the National Space Policy, Presidential Decision Directive/NSC-49, 14 September 1996. These include, but are not limited to, the following:

(1) The DCI and the Secretary of Defense oversee those space activities necessary for national security, consistent with their respective responsibilities as set forth in the National Security Act of 1947, as amended, other applicable law and Executive Order 12333. (Presidential Decision Directive 49 (PDD-49), III (1), 14 September 1996.[2](#))

(2) The Secretary of Defense and the DCI are

responsible for ensuring that defense and intelligence space activities are closely coordinated; that intelligence space architectures are integrated to the maximum extent feasible; and will continue to modernize and improve their respective activities to collect against, and respond to, changing threats, environments and adversaries. (PDD-49, III (2).)

(3) The DCI is responsible for ensuring that the intelligence space sector provides timely information and data to support foreign, defense, and economic policies; military operations; diplomatic activities; indications and warning; crisis management; and treaty verification and that the sector performs research and development related to these functions. (PDD-49, III(9)(a).)

(4) The DCI is charged to work closely with the Secretary of Defense to improve the intelligence space sector's ability to support military operations worldwide. (PDD-49, III (9)(c).)

2. Analysis and Production

a. Analysis and Production of National Intelligence

(1) The DCI has full responsibility for the production and dissemination of national foreign intelligence, and authority to levy analytic tasks on departmental intelligence production organizations, in consultation with those organizations, ensuring that appropriate mechanisms for competitive analysis are developed so that diverse points of view are considered fully and differences of judgment within the Intelligence Community are brought to the attention of national policymakers. (E.O. 12333, §1.5(k).)

(2) Under the direction of the National Security Council, the DCI is responsible for providing national intelligence to the President; to the heads of the departments and agencies of the Executive Branch; to the Chairman of the Joint Chiefs of Staff and senior military commanders; and, where appropriate, to the Senate and the House of Representatives and the committees thereof. Such national intelligence should be timely, objective, independent of political considerations, and based upon all sources available to the Intelligence Community. (NSA §103(a); 50 USC 403-3(a).)

(3) In accordance with law and relevant procedures approved by the Attorney General, the DCI is responsible for giving heads of the departments and agencies access to all intelligence, developed by the CIA or the staff elements of the Director of Central Intelligence, relevant to the national intelligence needs of the departments and agencies. (E.O. 12333, §1.5(r).)

(4) The DCI is responsible for facilitating the use of national foreign intelligence products by Congress in a secure manner. (E.O. 12333, §1.5(s).)

(5) The DCI is charged with promoting and evaluating the utility of national intelligence to consumers within the US Government. (NSA §103(c)(4); 50 USC 403-3(c)(4).)

(6) The DCI is responsible for the development and implementation of such programs and policies as the DCI and the Secretary of Defense jointly determine necessary to review and correct deficiencies identified in the capabilities of the National Imagery and Mapping Agency to accomplish assigned national missions, including support to the all-source analysis

and production process. The Director shall consult with the Secretary of Defense on the development and implementation of such programs and policies. (NSA § 110(c); 50 USC 404e(c).)

(7) The DCI is responsible for establishing uniform criteria for the determination of relative priorities for the transmission of critical national foreign intelligence, and advising the Secretary of Defense concerning the communications requirements of the Intelligence Community for the transmission of such intelligence. (E.O.12333, §1.5(i).)

b. Reserved

3. Collection

a. Collection of National Intelligence

(1) The DCI, in his capacity as head of the Intelligence Community, establishes the requirements and priorities to govern the collection of national intelligence by elements of the Intelligence Community. (NSA §103(c)(2); 50 USC 403-3(c)(2).)

(2) The DCI, in his capacity as head of the Intelligence Community, approves collection requirements, determines collection priorities, and resolves conflicts in collection priorities levied on national collection assets, except as otherwise agreed with the Secretary of Defense pursuant to the direction of the President. (NSA §103(c)(3); 50 USC 403-3(c)(3); NSA §111; 50 USC 404f; see also, E.O. 12333 §1.5(m).)

(3) The DCI ensures the timely exploitation and dissemination of data gathered by national foreign intelligence collection means, and ensures the

resulting intelligence is disseminated immediately to appropriate government entities and military commands. (E.O. 12333, §1.5(1).)

(4) The DCI establishes mechanisms which translate national foreign intelligence objectives and priorities approved by the National Security Council into specific guidance for the Intelligence Community. (E.O. 12333, §1.5(m).)

(5) As Head of the Central Intelligence Agency, the DCI is responsible for providing overall direction for the collection of national intelligence through human sources by elements of the Intelligence Community authorized to undertake such collection and, in coordination with other agencies of the Government which are authorized to undertake such collection, ensure that the most effective use is made of resources and that the risks to the United States and those involved in such collection are minimized. (NSA §103(d)(2); 50 USC 403-3(d)(2).)

(6) The DCI is responsible for providing for the development of plans and arrangements for transfer of required collection tasking authority to the Secretary of Defense when directed by the President. (E.O. 12333, §1.5(m); see also, PDD-49, m(8)(f).)

b. Reserved

4. Program and Budget

a. Budget Preparation, Reprogramming and Transfers, Monitoring NFIP Implementation

(1) The Director of Central Intelligence facilitates the development of an annual budget for the intelligence

and intelligence-related activities of the United States by--

(A) developing, with the advice of the program managers and departments and agencies concerned, and presenting to the President, the consolidated National Foreign Intelligence Program (NFIP) budget; (NSA §103(c)(1)(A); 50 USC 403-3(c)(1)(A); see also, E.O. 12333 §1.5(n).); and,

(B) participating, in his capacity as head of the Intelligence Community, in the development by the Secretary of Defense of the annual budgets for the Joint Military Intelligence Program (JMIP) and Tactical Intelligence and Related Activities (TIARA). (NSA §103(c)(1)(B); 50 USC 403-3(c)(1)(B).)

(2) The DCI provides guidance to the elements of the Intelligence Community for the preparation of their annual budgets and approves such budgets before their incorporation in the National Foreign Intelligence Program. (NSA §104(b); 50 USC 403-4(b).)

(3) No funds made available under the National Foreign Intelligence Program may be reprogrammed by any element of the Intelligence Community without the prior approval of the DCI except in accordance with procedures issued by the DCI. (NSA §104(c); 50 USC 403-4(c). See also, E.O. 12333 §1.5(o), "[The DCI is responsible for reviewing and approving] all requests for reprogramming National Foreign Intelligence Program funds, in accordance with guidelines established by the Office of Management and Budget.")

(4) The Secretary of Defense shall consult with the

DCI before reprogramming funds made available under the Joint Military Intelligence Program. (NSA §104(c); 50 USC 403-4(c).)

(5) The DCI, with the approval of the Director of the Office of Management and Budget, may transfer funds appropriated for a program within the National Foreign Intelligence Program to another such program. A transfer of funds under this authority may be made only if:

(A) the funds are being transferred to an activity that is a higher priority intelligence activity;

(B) the need for funds for such activity is based on unforeseen requirements;

(C) the transfer does not involve a transfer of funds to the Reserve for Contingencies of the Central Intelligence Agency;

(D) the transfer does not involve a transfer of funds from the Federal Bureau of Investigation; and

(E) the Secretary or head of the department which contain the affected element or elements of the Intelligence Community does not object to such transfer. (NSA §104(d); 50 USC 403-4(d).)

(6) The DCI, in accordance with procedures developed by the DCI and the heads of affected departments and agencies, may transfer personnel authorized for an element of the Intelligence Community to another such element for periods up to one year. A transfer of

personnel under this authority may be made only if:

(A) the personnel are being transferred to an activity that is a higher priority intelligence activity;

(B) the need for personnel for such activity is based on unforeseen requirements;

(C) the transfer does not involve a transfer of personnel from the Federal Bureau of Investigation; and

(D) the Secretary or head of the department which contain the affected element or elements of the Intelligence Community does not object to such transfer. (NSA §104(d); 50 USC 403-4(d).)

(7) The DCI monitors the implementation of the National Foreign Intelligence Program and, as necessary, conducts program audits and evaluations. (E.O. 12333, §1.5(p).)

b. Eliminating Waste and Unnecessary Duplication.

The DCI, in his capacity as head of the Intelligence Community, is charged with eliminating waste and unnecessary duplication within the Intelligence Community. (NSA §103(c)(5); 50 USC 403-3(c)(5).)

c. Overlap Between National Foreign Intelligence Programs and Department of Defense Intelligence Programs.

The DCI, together with the Secretary of Defense, is responsible for ensuring that there is no unnecessary

overlap between national foreign intelligence programs and Department of Defense intelligence programs consistent with the requirement to develop competitive analysis, and for providing to and obtaining from the Secretary of Defense all information necessary for this purpose. (E.O. 12333, §1.5(q).)

d. Narcotics Intelligence Activities Abroad.

The DCI participates in the development of procedures approved by the Attorney General governing criminal narcotics intelligence activities abroad to ensure that these activities are consistent with foreign intelligence programs. (E.O. 12333, §1.5(f).)

5. Relationships

a. Coordination of Foreign Intelligence Relationships

(1) Under the direction of the National Security Council, and in a manner consistent with section 207 of the Foreign Service Act of 1980 (22 USC 3927), the DCI shall coordinate the relationships between elements of the Intelligence Community and the intelligence or security services of foreign governments on all matters involving intelligence related to the national security or involving intelligence acquired through clandestine means. (NSA §104(e); 50 USC 403-4(e).)

(2) The DCI is responsible for formulating policies concerning foreign intelligence and counterintelligence arrangements with foreign governments, coordinating foreign intelligence and counterintelligence relationships between agencies of

the Intelligence Community and the intelligence or internal security services of foreign governments, and establishing procedures governing the conduct of liaison by any department or agency with such services on narcotics activities. (E.O. 12333, §1.5(e))

(3) No United States intelligence information may be provided to the United Nations or any organization affiliated with the United Nations, or to any officials or employees thereof, unless the President certifies to the appropriate committees of Congress.³ that the Director of Central Intelligence, in consultation with the Secretary of State and the Secretary of Defense, has established and implemented procedures, and has worked with the United Nations to ensure implementation of procedures, for protecting from unauthorized disclosure United States intelligence sources and methods connected to such information. (NSA §112(a)(1); 50 USC 404g(a)(1),(The statute also provides a waiver provision at NSA §404g(a)(2); 50 USC 404g(a)(2).))

b. Reserved

6. Security

a. Protection of Intelligence Sources and Methods

(1) The DCI shall protect intelligence sources and methods from unauthorized disclosure. (NSA §103(c)(6); 50 USC 403-3(c)(6).)

(2) The DCI is charged with ensuring the establishment by the Intelligence Community of common security and access standards for managing and handling foreign intelligence systems, information, and products. (E.O. 12333, §1.5(g).)

(3) The DCI is to ensure that programs are developed to protect intelligence sources, methods, and analytical procedures. (E.O. 12333, §1.5(h).)

(4) Unless otherwise authorized by the President, only the Secretaries of State, Defense and Energy and the Director of Central Intelligence, or the principal deputy of each, may create a special access program.⁴ For special access programs pertaining to intelligence activities (including special activities, but not including military operational, strategic and tactical programs), or intelligence sources or methods, this function will be exercised by the Director of Central Intelligence. (E.O. 12958, §4.1 and §4.4.)

b. Classification of Imagery

(1) The DCI is responsible for determining whether imagery acquired by a space-based national intelligence reconnaissance system shall no longer be kept secret in the interests of national security and foreign policy. (E.O. 12951, §2.)

(2) In consultation with the Secretaries of State and Defense, the DCI shall establish a comprehensive review of imagery from systems other than the Corona, Argon, and Lanyard missions, with the objective of making available to the public as much imagery as possible consistent with the interests of national defense and foreign policy. (E.O. 12951, §2.)

7. Other

a. Special Activities

The DCI is responsible for ensuring the implementation of special activities. (E.O. 12333, §

1.5(d.)

b. Counterterrorism

The DCI has been assigned specific responsibilities in Presidential Decision Directive/NSC-39, 21 June 1995 and Presidential Decision Directive/NSC-62, 22 May 1998.

c. Other Authorities and Responsibilities

The DCI, in his capacity as head of the Intelligence Community, may be directed to perform other functions by the President or the National Security Council. (NSA §103(c)(7); 50 USC 403-3(c)(7).)

C. Assignment of Responsibility for the Execution of the DCI's Responsibilities as Head of the Intelligence Community.

1. The Deputy Director of Central Intelligence for Community Management (DDCI/CM). The DDCI/CM shall, subject to the direction of the DCI, be principally responsible for executing the responsibilities of the Director set forth in subparagraphs B.1.e., B.1.f., B.2., B.3, and B.4., above.

2. DCI Discretionary Authority. Notwithstanding the assignment of responsibilities set forth above, the Director may assign responsibility, in whole or in part, to such other subordinate officials as he or she may choose.

3. Implementation. The officials who are assigned responsibility pursuant to this paragraph are authorized to create such mechanisms or make use of existing mechanisms within the Intelligence Community, as may be appropriate, for the execution of their respective responsibilities.

D. System of DCI Directives (DCIDs).

1. DCIDs. There is hereby established a system of DCI Directives and subsidiary issuances, which shall serve as the principal means by which the Director of Central Intelligence provides guidance, policy and direction to the Intelligence Community pursuant to the authorities cited in paragraph A. All current DCIDs shall remain in force until canceled or an update is published.

2. DDCI/CM Responsibilities. The DDCI/CM shall have overall responsibility for developing such directives and subsidiary issuances, for coordinating them with elements of the Intelligence Community, for promulgating and disseminating them, and for updating them as may be required. In carrying out these functions, the DDCI/CM may make use of such mechanisms within the Intelligence Community as may be appropriate. The DDCI/CM shall issue implementing procedures for the creation and coordination of DCI Directives and subsidiary issuances.

3. DCI Approval. The DCI, or in his absence the Acting DCI, shall approve all DCIDs.

4. Additional References to DCI Authorities and Responsibilities. The DDCI/CM may amend this DCID to include references to other authorities and responsibilities of the Director contained in statute, Executive Order or Presidential directive.

/s/ George J. Tenet
Director of Central Intelligence

19 Nov 98
Date

Footnotes:

1. The "appropriate congressional committees" for this purpose are defined in section 109 of the National Security Act to be: the Select Committee on Intelligence, the Committee on Appropriations, and the Committee on Armed Services of the Senate; and, the Permanent Select Committee on Intelligence, the Committee on Appropriations, and the Committee on National Security of the House of Representatives. (NSA § 109(c); 50 USC 404d(c)).

2. These excerpts discuss only the unclassified provisions of PDD-49. Readers are directed to the PDD for a complete listing of authorities and responsibilities. PDD-49, III also sets out authorities and responsibilities of the Secretary of Defense, the Department of Energy and ACDA with respect to National Security space activities.

3. As used in this section, the term "appropriate committees of Congress" means the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate and the Committee on Foreign Relations and the Permanent Select Committee on Intelligence of the House of Representatives. (NSA § 112(e); 50 USC 404g(e)).

4. A "special access program" is a program established for a specific class of classified information that imposes safeguarding and access requirements that exceed those normally required for information at the same classification level.

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