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A BILL FOR THE ESTABLISHMENT OF A CENTRAL INTELLIGENCE AGENCY

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

Section 1(a). Findings and Declaration. Experience in the two World Wars and the interim period between has shown that the acquisition of foreign intelligence by separate departments and agencies is inadequate to inform properly the people of the United States and their elected representatives of the events, trends and plans in foreign countries which, if known, might serve to avert armed conflict. The lesson thus learned is that intelligence gathering and analysis must be centralized so that all sources and facilities may be utilized to their fullest potentialities. Accordingly, it is hereby declared to be the policy of the people of the United States that in order to assure the common defense and security, the processing, analysis and dissemination of foreign intelligence shall be centralized and its procurement coordinated so as to keep fully informed the proper officers and departments of the Government.

(b) Purpose of Act. It is the purpose of this Act to effectuate the policies set out in Section 1(a) by providing among others for the following major programs relating to intelligence:

(1) A program for coordinating the procurement facilities of existing intelligence activities to develop maximum efficiency.

(2) A program for the research, analysis and evaluation of all intelligence so received.

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(3) A program for accurate dissemination of intelligence material to proper Government offices and departments.

(4) A program of administration to insure the positive procurement of all available foreign intelligence and to take such other measures in the field of foreign intelligence as will best serve to promote the national defense.

#### ORGANIZATION

Section 2(a) National Intelligence Authority.

(1) There is hereby established a National Intelligence Authority which shall be composed of five members. The Secretaries of the State Department, War Department and Navy Departments shall be, ex officio, members of the National Intelligence Authority. The fourth member shall be appointed by the President as his personal representative. These four members will be the sole voting members of the National Intelligence Authority. The Director of the Central Intelligence, <sup>Agency</sup> ~~hereinafter provided for~~ <sup>created</sup>, shall sit as the fifth and non-voting member of the National Intelligence Authority.

(2) The President shall appoint his personal representative to the National Intelligence Authority by and with the consent of the Senate. The term of each voting member of the National Intelligence Authority shall be at the pleasure of the President. The four voting members will serve without compensation for this service and shall perform this service in addition to such other activities, public or private, as they

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may engage in.

(3) The National Intelligence Authority may utilize such facilities of the State, War and Navy Departments as may be necessary for the maintenance of offices, records and for secretarial and clerical assistance.

(b) Central Intelligence Agency. There is hereby established a Central Intelligence Agency (hereinafter in this Act referred to as the "Agency") with a Director who shall be the head thereof, to be appointed from civilian or military life by the President, by and with the advice and consent of the Senate for a term of not more than seven years. The Director shall receive compensation at the rate of \$12,000 per annum. Any commissioned officer of the United States Army, the United States Navy or the United States Air Force may be appointed to the office of Director and his appointment to, acceptance of, and service in, such office shall in no way affect any status, office, rank, or grade he may occupy or hold in the United States Army, the United States Navy, or the United States Air Force, or any emolument, prerequisite, right, privilege, or benefit incident to or arising out of any such status, office, rank or grade. Any such commissioned officer on the active list shall, while serving in the Office of Director, receive the military pay and allowances payable a commissioned officer of his grade and length of service and shall be paid from any funds available to defray the expenses of the agency, annual compensation at a rate equal to the difference between \$12,000 and the amount of his annual military pay and allowances. There shall be assigned to duty with the Agency such military and civilian personnel of the departments and agencies of the Government as the Director may, from time to

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time, request, subject to policies established by the National Intelligence Authority and approved by the President.

(c) It shall be the duty of the Agency, under the supervision and direction of the National Intelligence Authority, to plan, develop, and coordinate the foreign intelligence activities of the United States in such manner as to assure the most effective accomplishment of the intelligence mission relating to the national security. The Agency shall -

(1) Correlate and evaluate intelligence relating to the national security and provide for the appropriate dissemination within the Government of the resulting strategic and national policy intelligence;

(2) Make plans for the coordination of such of the intelligence activities of the departments and agencies of the Government as relate to the national security and recommend to the National Intelligence Authority the establishment of such over-all policies and objectives as will assure the most effective accomplishment of the national intelligence mission;

(3) Perform, for the benefit of the departments and other agencies of the Government, such intelligence services of common concern as relate to the national security and as the National Intelligence Authority determines can be more efficiently accomplished by the Agency;

(4) Procure, train and supervise its intelligence personnel; and

(5) Perform such other functions and duties

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relating to intelligence affecting the national security as the President or the National Intelligence Authority may from time to time direct.

(d) The responsibility and authority of the departments and other agencies of the Government to collect, evaluate, correlate, and disseminate intelligence shall not be affected, except to the extent that the Agency may relieve them of such authority and responsibility pursuant to the provisions of subsection (c). The Agency shall have no police, subpoena or law enforcement powers or functions, either within or outside of the continental limits of the United States. The Director of the Agency shall be responsible for fully protecting intelligence sources and methods.

(e) The Agency shall make use of the facilities and services of the military and the civilian intelligence agencies of the Government and may conduct intelligence projects through, or in cooperation with, such agencies. Such agencies are hereby authorized and directed to make such facilities and services available to the Agency and to participate in the conduct of its projects.

(f) To the extent recommended by the National Intelligence Authority and approved by the President, (1) the intelligence operation of the departments and other agencies of the Government shall be open to inspection by the Director in connection with the planning functions of the Agency and (2) the intelligence possessed by such departments and agencies shall be made freely available to the Director for correlation, evaluation, or dissemination.

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GENERAL AUTHORITY

Section 3(a). In the performance of its functions, the Central Intelligence Agency may:

- (1) Procure necessary services, supplies and equipment without regard to the provisions of Section 3709, Revised Statutes (41 U.S.C. 5), upon certification by the Director that such action is necessary in the interest of the common defense and security or upon a showing that advertising is not reasonably practicable, and partial and advance payments may be made under contracts for such purpose.
- (2) Pay living and quarters allowances or in lieu thereof a salary differential to employees with headquarters located abroad.
- (3) Render such gratuitous services and dispose of, free or otherwise, such materials as the Director deems advisable.
- (4) Transfer such sums as may be authorized by the Bureau of the Budget to other departments or agencies of the Government, either as advance payment or reimbursement of appropriation, for the performance of any of the functions or activities authorized herein.
- (5) Pay expenses of transportation and subsistence of civilian officers and employees, and their dependents.
  - (A) When transferred from one official station to another for permanent duty, including expenses for crating, drayage and transportation

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of household goods and personal effects of such officers and employees; (B) when traveling from overseas posts to their homes in the United States and return under regulations established by the Director.

(6) Exchange funds without regard to Section 3651, Revised Statutes (31 U.S.C. 543).

(b) The Director may delegate to subordinate officials the power to employ persons in the Agency, departmental or otherwise, and to such officials as he may designate the function of authorizing the payments set forth in Paragraph 5 of Section 3(a) above.

#### APPROPRIATIONS

Section 4(a). There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act.

(b) Within the limits of such appropriations, the Director is authorized to employ such persons and means and make such expenditures, at the seat of Government and elsewhere, for personal services, rent, travel, expenses, including expenses outside the United States without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended (5 U.S.C. 821-833); preparation and transportation of the remains of officers and employees who die abroad or in transit, while in dispatch of their official duties, to their former homes in this country or to a place not more distant for interment, and for ordinary expenses of such interment; rental of news-reporting services; purchase of or subscription to law books, books of

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reference, periodicals, newspapers, commercial and trade reports; purchase or rental and operation of photographic, reproduction, cryptographic, duplicating and printing machines, equipment and devices, and radio-receiving and radio-sending equipment and devices; purchase, maintenance, operation, repair and hire of motor-propelled or horse-drawn passenger-carrying vehicles and other vehicles and vessels of all kinds; printing and binding; purchase, maintenance and cleaning of firearms, guard uniforms, special clothing, and other personal equipment; the cost of a compartment or such other accommodations as may be authorized by the Director or his designee for security when authorized personnel are required to transport secret documents or hand baggage containing classified or valuable equipment.

(c) The Acts appropriating such sums may appropriate specified portions thereof which may be expended, (A) without regard to the provisions of law and regulations relating to the expenditure of Government funds or the employment of persons in the Government service; (B) for objects of a confidential nature, such expenditures to be accounted for solely on the certificate of the Director and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

#### SEPARABILITY OF PROVISIONS

Section 5. If any provision of this Act, or the application of such provision to any person or circumstances, is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

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SHORT TITLE

Section 6. This Act may be cited as the "Central Intelligence  
Agency Act of 1946".

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