

BROAD CONSIDERATION OF
"CONUS INTELLIGENCE"
(The Pyle Article)

2/24/70

THREE MAJOR PREMISES OF ARTICLE

"For the past four years, the U. S. Army has been closely watching civilian political activity within the United States."

"Sometime in the near future, the Army will link its teletype reporting system to a computerized data bank. This computer, to be installed at the Investigative Records Repository at Fort Holabird in Baltimore, eventually will be able to produce print-outs of information in 96 separate categories. The plan is to feed it both 'incident reports' and 'personality reports'."

"The personality reports -- to be extracted from the incident reports -- will be used to supplement the Army's seven million individual security clearance dossiers and to generate new files on the political activities of civilians wholly unassociated with the military."

FIRST PREMISE DISTORTS ARMY COUNTERINTELLIGENCE MISSION

Army Personnel Security Investigation: Requires limited inquiry into political belief of Army, Defense, and industrial personnel subject to clearance investigation.

Investigation of espionage, sabotage, subversion directed against the Army: Sometimes requires inquiry into political belief.

Army civil disturbance information collection: Criterion is civil disturbance of a magnitude which might engender request from State authority through President for Army support. Political belief not material. Not investigative in nature. Information routinely acquired through liaison with FBI, State, local authorities. Is reported via teletype.

SECOND PREMISE MISREPRESENTS RELATIONSHIPS AND ACTIVITIES

Teletype system not planned for electronic or mechanical link to any computer

No plan ever to install computer at Investigative Records Repository: IRR contains file of Army personnel security, criminal and loyalty investigations. Subjects of files directly related to Army counterintelligence and criminal investigative jurisdiction. Investigative files; not reports of incidents of civil disturbance, which have occurred.

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Unrelated computer is planned for Defense Central Index of Investigation: DCII functions to indicate to DOD investigative agencies the location of previous investigation by any DOD agency of given subject. Contains no info other than identification of subject, type of investigation, by whom conducted. No political or biographical information. Simple index. No plan to link this computer to Investigative Records Repository, teletype, or to:

US Army Intelligence Command computer: An IBM 1401 computer available to the US Army Intelligence Command is used approximately 90% of its time for command and DOD matters, such as NACC statistics, Cost Control statistics, and support for TPMG. It is not related to IRR or DCII. A system for the storage of civil disturbance data has been programmed into the equipment. The computer was normally available to the Director of Investigations, US Army Intelligence Command, approximately 8.5% of the time to service civil disturbance needs. The computer was fed reports of incidents of civil disturbance. It contained names of personalities identified in civil disturbances, organization if known. It produced 98 separate categories information such as arrests, arson, AWOL, looting, tactics, and weather. (This computer can print out biographical data, as reported to it. There are over 4,000 identities.) No plan to link to teletype. No plan to feed information from IRR.

Identities of persons related to incidents of actual or potential civil disturbance, affiliation if known, are now fed to existing US Army Intelligence Command computer; no electronic link to teletype; no input from or to Investigative Records Repository.

THIRD PREMISE FALSE

Never has been plan to supplement Army's personnel security clearance dossiers with information derived from reports of occurrences of civil disturbances.

DETAILED DISCUSSION

Facts in same order of appearance as corresponding argument advanced in Pyle article: See Inclosure 1.

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ARMY INTELLIGENCE COMMAND CIVIL DISTURBANCE EFFORT

Intelligence Command does have approximately 1,000 agents stationed at about 300 offices throughout the United States.

Mission: Personnel security investigations;
Investigation of espionage, sabotage, or subversion directed against the Army;
Security services (surveys and inspections to insure adequate security against espionage and sabotage);
Reporting of information concerning civil disturbance situations which might exceed the capability of State authorities and motivate a request for support by Federal troops.

Mission related to political inquiry: It is evident that personnel security investigations of Army, Defense, and industrial personnel can require limited inquiry into political belief. To some extent, this may be true of investigations of espionage, sabotage, or subversion directed against the Army.

Army collection of civil disturbance information does not concern itself with political belief. The criterion is civil disturbance of a magnitude which could generate a request from State authorities for Army troop support. Spot reporting of potential incidents a judgment factor which does require better departmental guidance. This reporting effort is not investigative. Information is routinely acquired by liaison with the FBI, State, and local authorities.

Extent of civil disturbance collection: The extent of civil disturbance collection in relation to the activities of the Intelligence Command is best illustrated by comparison. In FY 69, 2,105 manyears were expended in investigative duties and in providing security services. In the same period, 125 manyears were devoted to all phases of civil disturbance information collection and reporting, as well as coverage of matters which might expand the Army's mission (natural disasters) or affect the Army's ability to accomplish its mission.

Undercover operations: Army instructions in regard to civil disturbance collection prohibit undercover operations without Department of the Army approval. Approval authority is reserved to the Under Secretary of the Army. No such operations are now current. The Under

Secretary has not been requested to approve any. There have been none in the past year.

The Intelligence Command blackbook: The Intelligence Command did maintain an identification list from information provided by local, State, and Federal authorities, concerning persons who have been active in civil disturbances. The purpose of this list was to allow civil disturbance elements of the Army to identify persons active in organizing or leading civil disorders in situations which could lead to employment of Federal troops. The list was last updated in March 1969. Due to lack of value it has been discontinued. Copies have been recalled and ordered destroyed. There was no "Blacklist!" It was not a list of persons who "might make trouble for the Army."

The Intelligence Command Computer: An IBM computer is used for command and operational statistics. This computer was upgraded to include a system for storing and retrieving civil disturbance data. This program for the civil disturbance data bank normally used about 8.5% of the total computer time.

Civil disturbance data bank: Civil disturbance incident information is computerized. This computer is not related to the personnel security files maintained in the Investigative Records Repository. The Repository is a separate activity. The civil disturbance data bank does not "feed" the Investigative Records Repository.

DOD Central Index of Investigations: Also at Fort Holabird. Army Executive Agent. Functions to identify to DOD agencies the repository of any previous investigation on given person by any DOD agency. Plan to computerize index only: Person's identification, type of investigation, name of investigating agency. No political or other information computer planned. No civil disturbance connotation. Possibly misunderstood by Pyle.

The Investigative Records Repository: Contains the investigative files of Army personnel security, criminal, and loyalty investigations. These are investigative files; they are not civil disturbance incident reports.

Files are available on request to major commands and investigative departments and agencies of the Executive Branch of the Federal government specifically designated according to Army regulations. The release of files is limited by Executive Order 10450.

Civil Disturbance reporting: Reports are evaluated by field reporting elements and interpreted by user organizations with legitimate mission responsibilities. The Intelligence Command does have an autovon teletype system for speedy communications. It is used in civil disturbance reporting. It is not directly connected to the civil disturbance data bank. Individual incident reports are manually keypunched into format before they can be put into the computer.

The computer does not provide information used by Army adjudicators in personnel security or loyalty investigations.

ADJUDICATION IN PERSONNEL SECURITY INVESTIGATIONS

Individuals are informed of the intent to revoke or deny a clearance, the basis on which action was taken, and are given the opportunity to refute.

The adjudicator bases his recommendation (he does not make a decision) on verified, relevant information.

The commander, not the adjudicator, is the final authority in denial of clearance. Revocation is subject to review at higher echelons, any of which may reverse the commander's unfavorable decision.

It is worthy of note that the author severed his relation with the Army in July 1968. On 22 July 1968, the Army General Counsel completed a study of the Army personnel security program, procedures, and practices. His comments on adjudication were favorable.

CONTROL OF USAINTC

As a separate major command, USAINTC is under the direct control of the Chief of Staff and the Army Staff.

Its organization and manpower is carefully and thoroughly developed and reviewed for economical and effective use of its resources.

Source of its personnel is the same as that of any other command; it has no elite which could be used to abridge the rights of either soldiers or civilians.

Stringent constraint and controls on USAINTC, by both DOD agencies and the annual Congressional appropriations hearings, makes it highly improbable that the Command could divert funds for expenditures on other than its authorized missions and functions.

SEPARATION OF FUNCTIONS

Since the investigative and adjudicative staffs are physically separated from each other, there is minimal danger of leakage of CONUS intelligence information to adjudicators. They operate under the Director of Operations, USAINTC, and the United States Army Personnel Security Group respectively.

TRAINING

Department of the Army strives to improve the professional quality of its personnel by revising the school curriculum, and through guidance letters from Department of the Army and the Intelligence Command.

Adjudicators do not need legal specialization since their function is accomplished primarily through their judgment based on criteria set forth by the Department of Defense.

Legal judgments are referred to the Judge Advocate General for resolution or comment.

ARMY STUDY

Actions recommended are:

More definitive guidance to the Intelligence Command designed to further reduce the volume of civil disturbance information collection.

Renewed effort by the Under Secretary to achieve greater Justice Department civil disturbance information collecting and estimating effort with a corollary reduction in Department of the Army effort.

More definitive guidance to the Army on collection and reporting of counterintelligence related to dissent in the Army

Consideration by DOD of establishment of a senior-level DOD counterintelligence advisory committee.