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THE WHITE HOUSE

WASHINGTON

November 18, 1976

Dear Bob:

I have read your recent letter outlining the work of the Intelligence Oversight Board. I was much impressed by it.

Thank you for sending me this progress report, and it is obvious that the IOB has been both active and effective.

I continue to be grateful to you, Leo Cherne and Steve Ailes, as well as the members of your staff, for undertaking this very important effort.

With kindest personal regards, I am

Gerald R. Ford

The Honorable Robert D. Murphy
Chairman
Intelligence Oversight Board
The White House
Washington, D. C. 20500

*cc Phil Buchen
Jack March*

THE WHITE HOUSE
WASHINGTON
Intelligence Oversight Board

November 12, 1976

Dear Mr. President:

On February 17, 1976, you announced, in a televised address to the American people, the issuance of Omnibus Executive Order 11905, the first major reorganization of the Intelligence Community since 1947. At that time you pledged commitment to twin goals:

As Americans, we must not and will not tolerate actions by our government which abridge the rights of our citizens. At the same time, we must maintain a strong and effective intelligence capability in the United States.

As part of this reorganization and as an effort to ensure attainment of the first of these goals, you created the Intelligence Oversight Board.

When you asked Stephen Ailes, Leo Cherne and me to serve as members of this newly created Board, you assured us of three things: that the Intelligence Oversight Board would be truly independent and non-partisan; that the Board would have a staff, chosen by the Board and answerable to it; and, that we would act, within the White House Office, as your personal advisors with respect to oversight of the Intelligence Community. With the passage of nine months, we are pleased to be able to report that the assurances given us have been, at all times and in every way, fulfilled, and that a very real beginning has been made toward attainment of the goal to which we all committed ourselves.

While it is perhaps premature to judge the long-term effect of the Board's efforts, and of the Intelligence Community's

compliance with the provisions of E. O. 11905, we feel no hesitancy in predicting that your personal commitment to bring the nation's Intelligence Community squarely within the rule of law will be regarded as one of the most commendable initiatives of your Administration.

The evolution of the Intelligence Oversight Board necessarily took several months. Hiring a staff, securing the essential clearances and briefings and familiarizing ourselves with the many separate entities comprising the Intelligence Community consumed much of the Board's energies during the early months. Even during this period, however, the Board was able to assist various agencies in the development of improved compliance procedures and to review activities reported to it. You may recall the first report of the Board to you concerning an activity of questionable legality was made in May 1976. Thereafter, the volume of material reported to the Board, and the concomitant frequency of reports to you, increased.

Executive Order 11905 caused a series of internal reorganizations, implementing regulations and, often the creation of new compliance mechanisms or the augmentation of existing ones. We believe there was a good faith effort at compliance begun within all elements of the Intelligence Community. As a result of this effort, inspection capabilities have been substantially improved in most agencies; offices of legal counsel have been consulted about the legality of intelligence activities to a much greater extent than was the case in the past; and, most significantly, certain activities that never would have been seriously and comprehensibly scrutinized with respect to legality or propriety have received such review. This process of review and reporting, as required by the Executive Order, in turn has caused some activities to be terminated, in whole or in part, and others to be suspended pending further review, modification or specific approval within the Department of Justice, the Operations Advisory Group or by you.

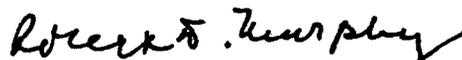
In the course of the past several months, we have reported to you, and often to the Attorney General, concerning certain activities which, in our judgment, raised questions of legality or propriety. We are aware of the actions which have been taken to correct the problems encountered.

Although the Board normally receives quarterly reports from various elements of the Intelligence Community each month, we have, insofar as it is possible to do so, taken steps to ensure that matters requiring Presidential attention will reach you sufficiently prior to the change in Administration so as to allow adequate time for resolution.

One matter, recently reported to the Board and currently under consideration may require a report to you and the Attorney General. The Board will conclude its review of this matter within two weeks and will report to you at that time.

Mr. Ailes, Mr. Cherne and I wish to express the Board's appreciation for the unqualified support which you have always given.

Respectfully,



Robert D. Murphy
Chairman

The President
The White House
Washington, D. C. 20500